

HOUSE COMMITTEE OF REFERENCE REPORT

\_\_\_\_\_  
Chair of Committee

\_\_\_\_\_  
Date

May 11, 2026

Committee on Appropriations.

After consideration on the merits, the Committee recommends the following:

SB26-023 be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation:

1 Amend reengrossed bill, page 2, line 2, before "**add**" insert "**repeal**  
2 (4)(c); and".

3 Page 2, line 3, strike "(3)(b)" and substitute "(3)(b), (4)(a)(VII),  
4 (4)(d)(VI), (4)(d.5)".

5 Page 2, after line 13 insert:

6           "**(4) Funded pupil count.** Funded pupil count is:

7           (a) (VII) THIS SUBSECTION (4)(a) IS REPEALED, EFFECTIVE JULY 1,  
8 2026.

9           ~~(c) Notwithstanding subsections (4)(a) and (4)(b) of this section;~~  
10 ~~if, for the 2026-27 budget year, each district's total program is not~~  
11 ~~determined pursuant to section 22-54-103.3 (3)(b), then funded pupil~~  
12 ~~count is determined pursuant to subsection (4)(a) of this section for the~~  
13 ~~2026-27 budget year and each budget year thereafter.~~

14           (d) (VI) THIS SUBSECTION (4)(d) IS REPEALED, EFFECTIVE JULY 1,  
15 2026.

16           (d.5) (I) NOTWITHSTANDING SUBSECTION (4)(b) OF THIS SECTION,  
17 FOR A BUDGET YEAR WHEN TOTAL PROGRAM IS THE GREATER OF THE  
18 DISTRICT'S TOTAL PROGRAM CALCULATION PURSUANT TO SECTION  
19 22-54-104 PLUS ONE PERCENT OF THE DISTRICT'S TOTAL PROGRAM  
20 CALCULATION PURSUANT TO SECTION 22-54-104 OR THE AMOUNT  
21 CALCULATED PURSUANT TO SECTION 22-54-104 PLUS AN AMOUNT EQUAL  
22 TO AT LEAST FORTY-FIVE PERCENT OF THE DIFFERENCE BETWEEN THE  
23 DISTRICT'S TOTAL PROGRAM CALCULATION PURSUANT TO SECTION  
24 22-54-103.5 AND THE DISTRICT'S TOTAL PROGRAM CALCULATION  
25 PURSUANT TO SECTION 22-54-104, AND FOR EACH BUDGET YEAR

1 THEREAFTER, THE DISTRICT'S ONLINE PUPIL ENROLLMENT FOR THE  
2 APPLICABLE BUDGET YEAR PLUS THE DISTRICT'S SUPPLEMENTAL  
3 KINDERGARTEN ENROLLMENT FOR THE APPLICABLE BUDGET YEAR PLUS  
4 THE DISTRICT'S EXTENDED HIGH SCHOOL PUPIL ENROLLMENT FOR THE  
5 APPLICABLE BUDGET YEAR PLUS THE GREATER OF:

6 (A) THE DISTRICT'S PUPIL ENROLLMENT FOR THE APPLICABLE  
7 BUDGET YEAR;

8 (B) AN AMOUNT EQUAL TO FIFTY PERCENT OF THE DISTRICT'S PUPIL  
9 ENROLLMENT FOR THE APPLICABLE BUDGET YEAR PLUS AN AMOUNT  
10 EQUAL TO THIRTY PERCENT OF THE DISTRICT'S PUPIL ENROLLMENT FOR THE  
11 IMMEDIATELY PRECEDING BUDGET YEAR PLUS AN AMOUNT EQUAL TO  
12 TWENTY PERCENT OF THE DISTRICT'S PUPIL ENROLLMENT FOR THE BUDGET  
13 YEAR THAT IS TWO YEARS IMMEDIATELY PRECEDING THE APPLICABLE  
14 BUDGET YEAR; OR

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

18 (II) NOTWITHSTANDING ANY PROVISION OF LAW TO THE  
19 CONTRARY, FOR PURPOSES OF THIS SUBSECTION (4)(d.5), A DISTRICT'S  
20 FUNDED PUPIL COUNT INCLUDES THE CERTIFIED PUPIL ENROLLMENT AND  
21 ONLINE PUPIL ENROLLMENT OF EACH OPERATING INSTITUTE CHARTER  
22 SCHOOL, AS PROVIDED IN SUBSECTIONS (4)(d.5)(III) AND (4)(d.5)(IV) OF  
23 THIS SECTION, FOR WHICH THE DISTRICT IS THE ACCOUNTING DISTRICT.  
24 THE DEPARTMENT OF EDUCATION SHALL ADD THE INSTITUTE CHARTER  
25 SCHOOL'S CERTIFIED PUPIL ENROLLMENT AND ONLINE PUPIL ENROLLMENT  
26 TO THE FUNDED PUPIL COUNT OF THE DISTRICT PRIOR TO CALCULATING  
27 THE DISTRICT'S TOTAL PROGRAM PURSUANT TO THIS SECTION.

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

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

33 (B) AN AMOUNT EQUAL TO FIFTY PERCENT OF THE OPERATING  
34 INSTITUTE CHARTER SCHOOL'S PUPIL ENROLLMENT FOR THE APPLICABLE  
35 BUDGET YEAR PLUS AN AMOUNT EQUAL TO THIRTY PERCENT OF THE  
36 OPERATING INSTITUTE CHARTER SCHOOL'S PUPIL ENROLLMENT FOR THE  
37 IMMEDIATELY PRECEDING BUDGET YEAR PLUS AN AMOUNT EQUAL TO  
38 TWENTY PERCENT OF THE OPERATING INSTITUTE CHARTER SCHOOL'S PUPIL  
39 ENROLLMENT FOR THE BUDGET YEAR THAT IS TWO YEARS IMMEDIATELY  
40 PRECEDING THE APPLICABLE BUDGET YEAR; OR

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

1 (IV) NOTWITHSTANDING ANY PROVISION OF LAW TO THE  
2 CONTRARY, FOR PURPOSES OF SUBSECTION (4)(d.5)(III) OF THIS SECTION,  
3 AN OPERATING INSTITUTE CHARTER SCHOOL'S CERTIFIED PUPIL  
4 ENROLLMENT INCLUDES ITS ONLINE PUPIL ENROLLMENT, EXCEPT FOR  
5 MULTI-DISTRICT ONLINE SCHOOL PUPIL ENROLLMENT.

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

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

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

32 Page 3, after line 5 insert:

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

35 **22-54-103.5. District total program - rules - legislative**  
36 **declaration - repeal.**

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

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

1 the 2023 cost of living analysis adjusted for labor pool areas, minus one.

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

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

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

20 **22-54-104. District total program - legislative declaration -**  
21 **definitions - repeal.**

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

23 (c) (II.7) (A) NOTWITHSTANDING ANY PROVISION OF THIS  
24 SUBSECTION (5)(c) TO THE CONTRARY, FOR THE 2025-26 AND 2026-27  
25 BUDGET YEARS, A DISTRICT'S COST OF LIVING FACTOR IS THE DISTRICT'S  
26 COST OF LIVING AMOUNT IDENTIFIED IN THE 2023 COST OF LIVING  
27 ANALYSIS ADJUSTED FOR LABOR POOL AREAS, DIVIDED BY THE MINIMUM  
28 COST OF LIVING AMOUNT FOR A DISTRICT IDENTIFIED IN THE 2023 COST OF  
29 LIVING ANALYSIS ADJUSTED FOR LABOR POOL AREAS, MINUS ONE.

30 (B) FOR THE 2027-28 BUDGET YEAR, A DISTRICT'S COST OF LIVING  
31 FACTOR IS THE DISTRICT'S COST OF LIVING AMOUNT IDENTIFIED IN THE  
32 2025 COST OF LIVING ANALYSIS ADJUSTED FOR LABOR POOL AREAS,  
33 DIVIDED BY THE MINIMUM COST OF LIVING AMOUNT FOR A DISTRICT  
34 IDENTIFIED IN THE 2025 COST OF LIVING ANALYSIS ADJUSTED FOR LABOR  
35 POOL AREAS, MINUS ONE."

36 Renumber succeeding sections accordingly.

37 Page 4, after line 16 insert:

38 **"SECTION 4.** In Colorado Revised Statutes, 22-30.5-112, **amend**  
39 (2)(a)(III)(A), (2)(a.4)(I), (2)(a.8)(I), (2)(a.8)(II), (2)(a.9), (3)(a)(II), and  
40 (3)(a)(III)(A); **repeal** (2)(a)(II), (2)(a)(III)(B), (2)(a.3), (2)(a.5)(II),

1 (2)(a.5)(II.5), (2)(c)(II), (3)(a)(I), and (11)(a); and **add** (2)(c.3), (2)(c.5),  
2 (2)(c.7), and (12) as follows:

3 **22-30.5-112. Charter schools - financing - guidelines -**  
4 **definitions - repeal.**

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

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

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

28 (a.3) ~~If the authorizing school district enrolls five hundred or~~  
29 ~~fewer students, the charter school shall receive funding in the amount of~~  
30 ~~the greater of one hundred percent of the district per pupil online funding~~  
31 ~~for each online pupil enrolled in the charter school plus one hundred~~  
32 ~~percent of the district per pupil revenues for each pupil who is not an~~  
33 ~~online pupil enrolled in the charter school, minus the actual amount of the~~  
34 ~~charter school's per pupil share of the central administrative overhead~~  
35 ~~costs incurred by the school district, based on audited figures, or~~  
36 ~~eighty-five percent of the district per pupil revenues for each pupil~~  
37 ~~enrolled in the charter school who is not an online pupil plus eighty-five~~  
38 ~~percent of the district per pupil online funding for each online pupil~~  
39 ~~enrolled in the charter school.~~

40 (a.4) (I) Within ninety days after the end of each fiscal year, each  
41 school district shall provide to each charter school within its district an  
42 itemized accounting of all its central administrative overhead costs. If the  
43 itemized accounting includes services provided to the charter school by

1 school district personnel, the itemized accounting, at the charter school's  
2 request, must include a list of the personnel positions and services  
3 provided by persons in each position. The actual central administrative  
4 overhead costs are the amount charged to the charter school. Any  
5 difference, within the limitations of ~~subparagraph (III) of paragraph (a)~~  
6 ~~of this subsection (2) and paragraph (a.3) of this subsection (2)~~  
7 SUBSECTION (2)(a) OF THIS SECTION, between the amount initially charged  
8 to the charter school and the actual cost must be reconciled and paid to  
9 the owed party.

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

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

15 (II.5) ~~"District per pupil online funding" means a school district's~~  
16 ~~online funding, as determined by article 54 of this title 22, divided by the~~  
17 ~~district's online pupil enrollment for any budget year.~~

18 (a.8) (I) ~~For the 2000-01 budget year through the 2025-26 budget~~  
19 ~~year;~~ The school district shall provide federally required educational  
20 services to students enrolled in charter schools on the same basis as the  
21 services are provided to students enrolled in other public schools of the  
22 school district. Each charter school shall pay an amount equal to the per  
23 pupil cost incurred by the school district in providing federally required  
24 educational services, multiplied by the number of students enrolled in the  
25 charter school. At either party's request, however, the charter school and  
26 the school district may negotiate and include in the charter contract  
27 alternate arrangements for the provision of and payment for federally  
28 required educational services.

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

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

42 (c) (II) ~~For the 2000-01 budget year through the 2025-26 budget~~  
43 ~~year, the amount of funding received by a charter school pursuant to this~~

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

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

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

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

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

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

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

25 (c.5) (I) FOR THE 2026-27 BUDGET YEAR, A SCHOOL DISTRICT  
26 SHALL DETERMINE EACH OF ITS CHARTER SCHOOLS' PHASE-IN AMOUNTS OF  
27 DISTRICT TOTAL PROGRAM. EACH CHARTER SCHOOL'S PHASE-IN AMOUNT  
28 OF DISTRICT TOTAL PROGRAM IS THE AMOUNT CALCULATED BY THE  
29 SCHOOL DISTRICT USING THE CALCULATION DESCRIBED IN SECTION  
30 22-54-103.3 (3)(b); EXCEPT THAT, WHEN MAKING THE CALCULATIONS, THE  
31 SCHOOL DISTRICT SHALL:

32 (A) USE THE CHARTER SCHOOL'S PUPIL ENROLLMENT FOR THE  
33 2026-27 BUDGET YEAR INSTEAD OF FUNDED PUPIL COUNT AS DETERMINED  
34 PURSUANT TO SECTIONS 22-54-103.5 (4) AND 22-54-104 (7);

35 (B) USE THE CHARTER SCHOOL'S AT-RISK PUPIL ENROLLMENT FOR  
36 THE 2026-27 BUDGET YEAR INSTEAD OF DISTRICT AT-RISK PUPIL  
37 ENROLLMENT AND USE THE CHARTER SCHOOL'S PERCENTAGE OF AT-RISK  
38 PUPILS INSTEAD OF DISTRICT PERCENTAGE OF AT-RISK PUPILS AS USED  
39 PURSUANT TO SECTIONS 22-54-103.5 (6)(a) AND 22-54-104 (4); EXCEPT  
40 THAT THE SCHOOL DISTRICT SHALL USE THE CHARTER SCHOOL'S AT-RISK  
41 PUPIL ENROLLMENT FOR THE 2026-27 BUDGET YEAR INSTEAD OF DISTRICT  
42 AT-RISK PUPIL ENROLLMENT AS USED IN THE FORMULA IN SECTION  
43 22-54-103.5 (6)(b) IF: THE DISTRICT'S FUNDED PUPIL COUNT IS LESS THAN

1 SEVEN THOUSAND, THE DISTRICT PERCENTAGE OF AT-RISK PUPILS IS  
2 SEVENTY PERCENT OR GREATER, AND THE CHARTER SCHOOL'S AT-RISK  
3 PUPIL ENROLLMENT FOR THE 2026-27 BUDGET YEAR IS SEVENTY PERCENT  
4 OR GREATER;

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

9 (D) USE THE CHARTER SCHOOL'S SPECIAL EDUCATION PUPIL  
10 ENROLLMENT FOR THE 2026-27 BUDGET YEAR INSTEAD OF DISTRICT  
11 SPECIAL EDUCATION PUPIL ENROLLMENT AS USED PURSUANT TO SECTION  
12 22-54-103.5 (10).

13 (II) (A) IN ADDITION TO THE DISTRIBUTION DESCRIBED IN  
14 SUBSECTION (2)(c.5)(III) OF THIS SECTION, A CHARTER SCHOOL IN A  
15 DISTRICT DESCRIBED IN SECTION 22-54-103.5 (12)(c) MUST RECEIVE A PER  
16 PUPIL AMOUNT OF THE AMOUNT DESCRIBED IN SECTION 22-54-103.5  
17 (12)(c) FOR EACH STUDENT IN THE CHARTER SCHOOL'S PUPIL ENROLLMENT  
18 FOR THE 2026-27 BUDGET YEAR.

19 (B) IN ADDITION TO THE DISTRIBUTION DESCRIBED IN SUBSECTION  
20 (2)(c.5)(III) OF THIS SECTION, A CHARTER SCHOOL IN A DISTRICT  
21 DESCRIBED IN SECTION 22-54-104 (4.9) MUST RECEIVE A PER PUPIL  
22 AMOUNT OF THE AMOUNT DESCRIBED IN SECTION 22-54-104 (4.9) FOR  
23 EACH STUDENT IN THE CHARTER SCHOOL'S PUPIL ENROLLMENT FOR THE  
24 2026-27 BUDGET YEAR.

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

28 (A) THE AMOUNT OF DISTRICT TOTAL PROGRAM RECEIVED BY THE  
29 CHARTER SCHOOL FOR THE 2025-26 BUDGET YEAR PLUS ONE PERCENT OF  
30 THE AMOUNT OF DISTRICT TOTAL PROGRAM RECEIVED BY THE CHARTER  
31 SCHOOL FOR THE 2025-26 BUDGET YEAR; OR

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

35 (IV) THIS SUBSECTION (2)(c.5) IS REPEALED, EFFECTIVE JULY 1,  
36 2028.

37 (c.7) (I) FOR EACH BUDGET YEAR BEGINNING WITH THE 2027-28  
38 BUDGET YEAR THROUGH THE 2030-31 BUDGET YEAR, A SCHOOL DISTRICT  
39 SHALL DETERMINE EACH OF ITS CHARTER SCHOOLS' PHASE-IN AMOUNTS OF  
40 DISTRICT TOTAL PROGRAM. EACH CHARTER SCHOOL'S PHASE-IN AMOUNT  
41 OF DISTRICT TOTAL PROGRAM IS THE AMOUNT CALCULATED BY THE  
42 SCHOOL DISTRICT USING THE CALCULATION DESCRIBED IN SECTION  
43 22-54-103.3 (3)(c) FOR THE APPLICABLE BUDGET YEAR; EXCEPT THAT,

1 WHEN MAKING THE CALCULATIONS, THE SCHOOL DISTRICT SHALL:

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

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

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

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

26 (II) FOR EACH BUDGET YEAR BEGINNING WITH THE 2027-28  
27 BUDGET YEAR THROUGH THE 2030-31 BUDGET YEAR, A SCHOOL DISTRICT  
28 SHALL DETERMINE EACH OF ITS CHARTER SCHOOLS' OLD FORMULA  
29 AMOUNTS OF DISTRICT TOTAL PROGRAM. EACH CHARTER SCHOOL'S OLD  
30 FORMULA AMOUNT OF DISTRICT TOTAL PROGRAM IS THE AMOUNT  
31 CALCULATED BY THE SCHOOL DISTRICT USING THE CALCULATION  
32 DESCRIBED IN SECTION 22-54-104 FOR THE APPLICABLE BUDGET YEAR FOR  
33 EACH OF ITS CHARTER SCHOOLS; EXCEPT THAT, WHEN MAKING THE  
34 CALCULATIONS, THE SCHOOL DISTRICT SHALL:

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

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

41 (C) USE THE CHARTER SCHOOL'S ENGLISH LANGUAGE LEARNER  
42 PUPIL ENROLLMENT FOR THE APPLICABLE BUDGET YEAR INSTEAD OF  
43 DISTRICT ENGLISH LANGUAGE LEARNER PUPIL ENROLLMENT AS USED

1 PURSUANT TO SECTION 22-54-104 (4.3).

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

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

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

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

21 (B) THE CHARTER SCHOOL'S OLD FORMULA AMOUNT OF DISTRICT  
22 TOTAL PROGRAM FOR THE APPLICABLE BUDGET YEAR DETERMINED  
23 PURSUANT TO SUBSECTION (2)(c.7)(II) OF THIS SECTION, PLUS ONE  
24 PERCENT OF THE CHARTER SCHOOL'S OLD FORMULA AMOUNT OF DISTRICT  
25 TOTAL PROGRAM FOR THE APPLICABLE BUDGET YEAR.

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

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

40 (III) (A) ~~For the 2000-01 budget year through the 2025-26 budget~~  
41 ~~year,~~ The proportionate share of money generated under federal or state  
42 categorical aid programs, other than federally required educational  
43 services, is directed to charter schools serving students eligible for such

1 aid; except for district special education pupil funding calculated pursuant  
2 to section 22-54-103.5 (10).

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

11 (12) THE GENERAL ASSEMBLY FINDS AND DECLARES THAT FOR  
12 PURPOSES OF SECTION 17 OF ARTICLE IX OF THE STATE CONSTITUTION,  
13 PROVISIONS INTENDED TO HOLD DISTRICTS HARMLESS AS A RESULT OF  
14 CHANGING TOTAL PROGRAM DISTRIBUTION FROM THE SCHOOL DISTRICT TO  
15 THE CHARTER SCHOOL PURSUANT TO SUBSECTIONS (2)(c.5) AND (2)(c.7)  
16 OF THIS SECTION ARE A PROGRAM FOR ACCOUNTABLE EDUCATION REFORM  
17 AND THEREFORE MAY RECEIVE FUNDING FROM THE STATE EDUCATION  
18 FUND CREATED IN SECTION 17 (4) OF ARTICLE IX OF THE STATE  
19 CONSTITUTION.

20 **SECTION 5.** In Colorado Revised Statutes, **repeal**  
21 **22-30.5-112.1.**

22 **SECTION 6.** In Colorado Revised Statutes, **amend**  
23 **22-30.5-112.7** as follows:

24 **22-30.5-112.7. Charter school funding - greater than**  
25 **minimum.**

26 An authorizing district or accounting district may provide funding  
27 that is greater than the minimum amount determined pursuant to section  
28 22-30.5-112, ~~22-30.5-112.1~~, 22-30.5-112.6, or 22-30.5-513.

29 **SECTION 7.** In Colorado Revised Statutes, 22-30.5-504, **amend**  
30 **(5)(a)(I)(B)** as follows:

31 **22-30.5-504. Institute chartering authority - institute charter**  
32 **schools - exclusive authority - retention - recovery - revocation.**

33 (5) (a) The state board shall grant to a local board of education  
34 exclusive authority to authorize charter schools within the geographic  
35 boundaries of the school district if the state board determines, after  
36 adequate notice and in a public hearing and after receiving input from any  
37 charter schools authorized by the local board of education, that the local  
38 board can show a recent pattern of providing fair and equitable treatment  
39 to its charter schools through the local board's demonstration of:

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

42 (B) Compliance with ~~sections~~ SECTION 22-30.5-112 and  
43 ~~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 8.** In Colorado Revised Statutes, 22-30.5-513, **amend**  
3 (1)(j)(II), (2)(b), (4)(a)(I), (4)(a)(I.5) introductory portion, (5.5)(a), and  
4 (10)(a); **repeal** (4)(c) and (11); and **add** (2)(f), (2)(g), (2)(h), and (12) as  
5 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.

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

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

33 (II) "CHARTER SCHOOL'S ENGLISH LANGUAGE LEARNER PUPILS"  
34 MEANS THE NUMBER OF PUPILS ENROLLED IN THE CHARTER SCHOOL WHO  
35 ARE ENGLISH LANGUAGE LEARNER PUPILS, AS DEFINED IN SECTION  
36 22-54-103 (6.5).

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

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

43 (V) "CHARTER SCHOOL'S SPECIAL EDUCATION PUPIL ENROLLMENT"

1 MEANS THE NUMBER OF PUPILS ENROLLED IN THE CHARTER SCHOOL WHO  
2 ARE SPECIAL EDUCATION PUPILS, AS DEFINED IN SECTION 22-54-103 (10.8).

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

10 (A) USE THE CHARTER SCHOOL'S PUPIL ENROLLMENT FOR THE  
11 2026-27 BUDGET YEAR INSTEAD OF FUNDED PUPIL COUNT AS DETERMINED  
12 PURSUANT TO SECTIONS 22-54-103.5 (4) AND 22-54-104 (7);

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

27 (C) USE THE CHARTER SCHOOL'S ENGLISH LANGUAGE LEARNER  
28 PUPIL ENROLLMENT FOR THE 2026-27 BUDGET YEAR INSTEAD OF THE  
29 ACCOUNTING DISTRICT'S ENGLISH LANGUAGE LEARNER PUPIL  
30 ENROLLMENT AS USED PURSUANT TO SECTIONS 22-54-103.5 (7) AND  
31 22-54-104 (4.3); AND

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

36 (II) (A) IN ADDITION TO THE DISTRIBUTION DESCRIBED IN  
37 SUBSECTION (2)(g)(III) OF THIS SECTION, A CHARTER SCHOOL WHOSE  
38 ACCOUNTING DISTRICT IS A SCHOOL DISTRICT DESCRIBED IN SECTION  
39 22-54-103.5 (12)(c) MUST RECEIVE A PER PUPIL AMOUNT OF THE AMOUNT  
40 DESCRIBED IN SECTION 22-54-103.5 (12)(c) FOR EACH STUDENT IN THE  
41 CHARTER SCHOOL'S PUPIL ENROLLMENT FOR THE 2026-27 BUDGET YEAR.

42 (B) IN ADDITION TO THE DISTRIBUTION DESCRIBED IN SUBSECTION  
43 (2)(g)(III) OF THIS SECTION, A CHARTER SCHOOL WHOSE ACCOUNTING

1 DISTRICT IS A SCHOOL DISTRICT DESCRIBED IN SECTION 22-54-104 (4.9)  
2 MUST RECEIVE A PER PUPIL AMOUNT OF THE AMOUNT DESCRIBED IN  
3 SECTION 22-54-104 (4.9) FOR EACH STUDENT IN THE CHARTER SCHOOL'S  
4 PUPIL ENROLLMENT FOR THE 2026-27 BUDGET YEAR.

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

8 (A) THE AMOUNT OF TOTAL PROGRAM RECEIVED BY THE CHARTER  
9 SCHOOL FOR THE 2025-26 BUDGET YEAR PLUS ONE PERCENT OF THE  
10 AMOUNT OF TOTAL PROGRAM RECEIVED BY THE CHARTER SCHOOL FOR THE  
11 2025-26 BUDGET YEAR; OR

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

15 (IV) THIS SUBSECTION (2)(g) IS REPEALED, EFFECTIVE JULY 1,  
16 2028.

17 (h) (I) FOR EACH BUDGET YEAR BEGINNING WITH THE 2027-28  
18 BUDGET YEAR THROUGH THE 2030-31 BUDGET YEAR, THE INSTITUTE  
19 SHALL DETERMINE EACH OF ITS CHARTER SCHOOLS' PHASE-IN AMOUNTS OF  
20 TOTAL PROGRAM. EACH CHARTER SCHOOL'S PHASE-IN AMOUNT OF TOTAL  
21 PROGRAM IS THE AMOUNT CALCULATED BY THE INSTITUTE USING THE  
22 CALCULATION DESCRIBED IN SECTION 22-54-103.3 (3)(c) FOR THE  
23 APPLICABLE BUDGET YEAR; EXCEPT THAT, WHEN MAKING THE  
24 CALCULATIONS, THE INSTITUTE SHALL:

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

28 (B) USE THE CHARTER SCHOOL'S AT-RISK PUPIL ENROLLMENT FOR  
29 THE APPLICABLE BUDGET YEAR INSTEAD OF THE ACCOUNTING DISTRICT'S  
30 AT-RISK PUPIL ENROLLMENT AND USE THE CHARTER SCHOOL'S  
31 PERCENTAGE OF AT-RISK PUPILS INSTEAD OF THE ACCOUNTING DISTRICT'S  
32 PERCENTAGE OF AT-RISK PUPILS AS USED PURSUANT TO SECTIONS  
33 22-54-103.5 (6)(a) AND 22-54-104 (4); EXCEPT THAT THE INSTITUTE  
34 SHALL USE THE CHARTER SCHOOL'S AT-RISK PUPIL ENROLLMENT FOR THE  
35 APPLICABLE BUDGET YEAR INSTEAD OF ACCOUNTING DISTRICT'S AT-RISK  
36 PUPIL ENROLLMENT AS USED IN THE FORMULA IN SECTION 22-54-103.5  
37 (6)(b) IF: THE ACCOUNTING DISTRICT'S FUNDED PUPIL COUNT IS LESS THAN  
38 SEVEN THOUSAND, THE ACCOUNTING DISTRICT'S PERCENTAGE OF AT-RISK  
39 PUPILS IS SEVENTY PERCENT OR GREATER, AND THE CHARTER SCHOOL'S  
40 AT-RISK PUPIL ENROLLMENT FOR THE APPLICABLE BUDGET YEAR IS  
41 SEVENTY PERCENT OR GREATER;

42 (C) USE THE CHARTER SCHOOL'S ENGLISH LANGUAGE LEARNER  
43 PUPIL ENROLLMENT FOR THE APPLICABLE BUDGET YEAR INSTEAD OF

1 DISTRICT ENGLISH LANGUAGE LEARNER PUPIL ENROLLMENT AS USED  
2 PURSUANT TO SECTIONS 22-54-103.5 (7) AND 22-54-104 (4.3); AND

3 (D) USE THE CHARTER SCHOOL'S SPECIAL EDUCATION PUPIL  
4 ENROLLMENT FOR THE APPLICABLE BUDGET YEAR INSTEAD OF DISTRICT  
5 SPECIAL EDUCATION PUPIL ENROLLMENT AS USED PURSUANT TO SECTION  
6 22-54-103.5 (10).

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

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

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

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

25 (III) (A) IN ADDITION TO THE DISTRIBUTION DESCRIBED IN  
26 SUBSECTION (2)(h)(IV) OF THIS SECTION, A CHARTER SCHOOL WHOSE  
27 ACCOUNTING DISTRICT IS A SCHOOL DISTRICT DESCRIBED IN SECTION  
28 22-54-103.5 (12)(c) MUST RECEIVE A PER PUPIL AMOUNT OF THE AMOUNT  
29 DESCRIBED IN SECTION 22-54-103.5 (12)(c) FOR EACH STUDENT IN THE  
30 CHARTER SCHOOL'S PUPIL ENROLLMENT FOR THE APPLICABLE BUDGET  
31 YEAR.

32 (B) IN ADDITION TO THE DISTRIBUTION DESCRIBED IN SUBSECTIONS  
33 (2)(h)(IV) OF THIS SECTION, A CHARTER SCHOOL WHOSE ACCOUNTING  
34 DISTRICT IS DESCRIBED IN SECTION 22-54-104 (4.9) MUST RECEIVE A PER  
35 PUPIL AMOUNT OF THE AMOUNT DESCRIBED IN SECTION 22-54-104 (4.9)  
36 FOR EACH STUDENT IN THE CHARTER SCHOOL'S PUPIL ENROLLMENT FOR  
37 THE APPLICABLE BUDGET YEAR.

38 (IV) FOR EACH BUDGET YEAR BEGINNING WITH THE 2027-28  
39 BUDGET YEAR THROUGH THE 2030-31 BUDGET YEAR, THE INSTITUTE  
40 SHALL DISTRIBUTE TO EACH OF ITS CHARTER SCHOOLS, AN AMOUNT EQUAL  
41 TO THE GREATER OF:

42 (A) THE CHARTER SCHOOL'S PHASE-IN AMOUNT OF TOTAL  
43 PROGRAM FOR THE APPLICABLE BUDGET YEAR DETERMINED PURSUANT TO

1 SUBSECTION (2)(h)(I) OF THIS SECTION; OR  
2 (B) THE CHARTER SCHOOL'S OLD FORMULA AMOUNT OF TOTAL  
3 PROGRAM FOR THE APPLICABLE BUDGET YEAR, DETERMINED PURSUANT TO  
4 SUBSECTION (2)(h)(II) OF THIS SECTION, PLUS ONE PERCENT OF THE  
5 CHARTER SCHOOL'S OLD FORMULA AMOUNT OF TOTAL PROGRAM FOR THE  
6 APPLICABLE BUDGET YEAR.  
7 (4) (a) (I) For ~~each budget year through the 2025-26 budget year,~~  
8 each institute charter school, the department shall withhold from the state  
9 equalization payments of the institute charter school's accounting district  
10 an amount equal to one hundred percent of the accounting district's  
11 adjusted per pupil revenues multiplied by the number of pupils enrolled  
12 in the institute charter school who are not online pupils plus an amount  
13 equal to one hundred percent of the accounting district's per pupil online  
14 funding multiplied by the number of online pupils enrolled in the institute  
15 charter school. The department shall forward to the institute the amount  
16 withheld minus an amount not to exceed one percent of the amount  
17 withheld that the department may retain as reimbursement for the  
18 reasonable and necessary costs to the department to implement the  
19 provisions of this part 5.  
20 (I.5) ~~For each budget year through the 2025-26 budget year,~~ The  
21 institute shall forward to each institute charter school an amount equal to  
22 the institute charter school's pupil enrollment multiplied by the accounting  
23 district's adjusted per pupil revenues of the institute charter school's  
24 accounting district, minus:  
25 (c) ~~For budget years 2004-05 through 2010-11, the amount of~~  
26 ~~funding specified in paragraph (a) of this subsection (4) shall reflect the~~  
27 ~~one-percent increase in the statewide base per pupil funding for state~~  
28 ~~fiscal years 2001-02 through 2010-11 received by school districts as~~  
29 ~~required by section 17 of article IX of the state constitution.~~  
30 (5.5) (a) Notwithstanding any provision of this section to the  
31 contrary, if a district charter school converts to an institute charter school  
32 pursuant to section 22-30.5-510, the converted school's ~~per pupil revenues~~  
33 ~~or adjusted per pupil revenues, whichever is applicable, and at-risk~~  
34 ~~supplemental aid continue to be calculated pursuant to section~~  
35 ~~22-30.5-112, or 22-30.5-112.1 whichever is applicable, and section~~  
36 ~~22-30.5-112.2, TOTAL PROGRAM FUNDING as the funding applied to the~~  
37 converted school before the conversion; except that this subsection (5.5)  
38 does not apply if the converted school was authorized by a small rural  
39 school district, as described in section 22-54-108 (3)(b)(IV), before the  
40 conversion.  
41 (10) (a) ~~On or before December 1, 2009, and on or before~~  
42 ~~December 1 each year, thereafter,~~ a representative from the governing  
43 board of each institute charter school and the institute board shall meet to

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

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

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

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

25 **SECTION 9.** In Colorado Revised Statutes, 22-33-203, **amend**  
26 **(2)(d)** as follows:

27 **22-33-203. Educational alternatives for expelled students.**

28 (2) (d) If an expelled student is receiving educational services  
29 delivered by a school district other than the expelling school district, by  
30 a charter school in a school district other than the expelling school  
31 district, by a board of cooperative services, or by a nonpublic school,  
32 pursuant to an agreement entered into pursuant to subsection (2)(c)(I) of  
33 this section, the expelling school district shall transfer ninety-five percent  
34 of the district per-pupil revenues ~~as defined in section 22-30.5-112~~  
35 ~~(2)(a.5)(H)~~ to the school district, charter school, nonpublic school, or  
36 board of cooperative services that is providing educational services,  
37 reduced in proportion to the amount of time remaining in the school year  
38 at the time the student begins receiving educational services.

39 **SECTION 10.** In Colorado Revised Statutes, 22-43.7-110.3,  
40 **amend (2)(b)(I)** as follows:

41 **22-43.7-110.3. Department - charter school facilities assistance**  
42 **account - distribution - definitions.**

43 (2) (b) (I) Each school district that provides funding pursuant to

1 section 22-30.5-112 ~~or 22-30.5-112.1~~ to at least one qualified charter  
2 school in a fiscal year shall, for that fiscal year, receive an amount equal  
3 to the percentage of the total certified charter school pupil enrollment for  
4 all qualified charter schools statewide for the applicable fiscal year that  
5 is attributable to the district's certified charter school pupil enrollment,  
6 multiplied by the amount credited to the charter school facilities  
7 assistance account for the applicable fiscal year.

8 **SECTION 11.** In Colorado Revised Statutes, 22-33.5-2706,  
9 **amend** (5)(a)(II)(B) as follows:

10 **24-33.5-2706. Trauma-informed practices for school safety**  
11 **drills - work group - creation - purpose - membership - notice to**  
12 **revisor of statutes - definitions - repeal.**

13 (5) (a) (II) The work group consists of the following voting  
14 members:

15 (B) Two school principals, one of whom must represent either a  
16 district charter school ~~as defined in section 22-30.5-112.1~~, or an institute  
17 charter school, as defined in section 22-30.5-502, each appointed by the  
18 minority leader of the house of representatives, on the advice of a  
19 statewide association that represents school administrators;"

20 Page 4, before line 17 insert:

21 **"SECTION 12.** In Colorado Revised Statutes, **repeal**  
22 **22-30.5-112.2."**

23 Renumber succeeding sections accordingly.

24 Page 6, strike lines 8 through 27.

25 Strike page 7.

26 Page 8, strike lines 1 through 3.

27 Renumber succeeding sections accordingly.

28 Page 10, line 9, strike "(1.3)" and substitute "(1.3); and **add** (9)".

29 Page 10, line 11, strike "**definition.**" and substitute "**definition - repeal.**".

30 Page 12, after line 20 insert:

31 "(9) (a) THE DEPARTMENT SHALL ENGAGE STAKEHOLDERS ON THE  
32 ISSUE OF PUBLIC PLACEMENTS IN FACILITY SCHOOLS AND WHETHER TO

1 MAKE RECOMMENDATIONS TO THE STATE BOARD REGARDING RULES OR TO  
2 THE GENERAL ASSEMBLY REGARDING STATUTES RELATED TO PUBLIC  
3 PLACEMENTS IN FACILITIES. THE STAKEHOLDERS THAT THE DEPARTMENT  
4 SHALL ENGAGE WITH INCLUDE, BUT ARE NOT LIMITED TO, ADMINISTRATIVE  
5 UNITS, MEDICAID MANAGED CARE ENTITIES, ORGANIZATIONS THAT  
6 REPRESENT LICENSED RESIDENTIAL CHILD CARE FACILITIES, AND OTHER  
7 PUBLIC ENTITIES.

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

9 Page 18, line 25, strike "\$5,375,404" and substitute "\$12,612,822".

10 Page 19, after line 2 insert:

11 **"SECTION 15. Appropriation.** For the 2026-27 state fiscal year,  
12 \$3,385,203 is appropriated to the department of education for use by  
13 school district operations. This appropriation is from the state education  
14 fund created in section 17 (4)(a) of article IX of the state constitution. To  
15 implement this act, the department may use this appropriation for charter  
16 school hold harmless.

17 **SECTION 16. Appropriation - adjustments to 2026 long bill.**  
18 To implement this act, the cash funds appropriation from the state  
19 education fund created in section 17 (4)(a) of article IX of the state  
20 constitution made in the annual general appropriation act for the 2026-27  
21 state fiscal year to the department of education for use by school district  
22 operations for at-risk supplemental aid is decreased by \$3,504,995."

23 Renumber succeeding sections accordingly.

24 Page 19, strike lines 3 through 27.

25 Page 20, strike lines 1 through 4.

26 Renumber succeeding section accordingly.

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