

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

REREVISED

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

LLS NO. 24-0694.01 Alana Rosen x2606

SENATE BILL 24-188

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Senate Committees

Education
Appropriations

House Committees

Education
Appropriations

HOUSE
3rd Reading Unamended
April 25, 2024

A BILL FOR AN ACT

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

HOUSE
2nd Reading Unamended
April 24, 2024

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>.)

SENATE
3rd Reading Unamended
April 5, 2024

The bill:

- Increases the statewide base per pupil funding for the 2024-25 budget year by \$419.97 to account for inflation;
- Sets a new statewide base per funding amount of \$8,496.38 for the 2024-25 budget year; and
- Sets the total program funding for the 2024-25 budget year

SENATE
Amended 2nd Reading
April 4, 2024

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.*

for all school districts and institute charter schools to not less than \$9,735,767,429.

The bill repeals the total program reserve fund on July 1, 2025.

The bill adds rural funding to the district's total program formula to provide additional funding to small rural districts or large rural districts.

The bill requires the state treasurer to transfer \$15,715,539 from the state education fund to the mill levy override match fund.

Current law requires a new at-risk measure in the public school funding formula to be implemented in the 2024-25 budget year. The bill extends the implementation of this requirement to the 2025-26 budget year.

For the 2024-25 budget year, a school district's at-risk funding is the greater of the school district's at-risk funding amount for the 2023-24 budget year or the 2024-25 budget year.

Current law requires a qualified third-party evaluator (evaluator) who facilitates a facility school work group (work group) to submit a report to the work group and the office of facility schools by September 1, 2025. The department of education (department) is required to submit the evaluator's report to the joint budget committee by October 1, 2025. The bill extends the report deadlines to September 1, 2026, and October 1, 2026, respectively.

The bill requires school districts, a district charter school, an institute charter school, or a board of cooperative services to offer the writing portion of a college entrance exam to students digitally.

Current law requires a school district to receive the daily rate for education services provided by approved facility schools for a juvenile who is held in a jail or facility and receives at least 4 hours of educational services per week from the school district. The bill changes the daily rate to the rate for educational services provided by the Colorado school for the deaf and the blind or the education program operated by the Colorado mental health institute at Pueblo or Fort Logan.

The bill increases the cap on how much can be spent on administration for the ninth-grade success grant program from 5% to 8%.

The bill clarifies that a student with disabilities (student) who receives transition services and has postsecondary goals outlined in the student's individualized education program is eligible for concurrent enrollment courses.

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

2 **SECTION 1. Legislative declaration.** (1) The general assembly

3 finds and declares that:

1 (a) The annual total program funding of Colorado's schools is a
2 collaborative effort between school districts and the state;

3 (b) In recent years, the stabilization of the state budget has
4 required a reduction in the amount of the annual appropriation to fund the
5 state's share of total program funding for all school districts and institute
6 charter schools. This reduction is commonly referred to as the "budget
7 stabilization factor".

8 (c) The school districts' share of total program funding is
9 primarily derived from nonresidential and residential property tax
10 revenue;

11 (d) Colorado's current economic conditions are mixed. There are
12 significant increases in property values, generally increasing the school
13 districts' share of total program funding and consequently decreasing the
14 state's share of total program funding.

15 (e) The current economic conditions have also increased the
16 amount of revenue available to the state for the 2024-25 budget year,
17 allowing the state to significantly increase the amount of appropriation for
18 the state's share of total program funding for school districts and institute
19 charter schools, thereby eliminating the budget stabilization factor; and

20 (f) There is, however, a great deal of uncertainty concerning the
21 continuity and longevity of these current economic conditions and
22 whether high property values and increased revenue will continue.

23 (2) Therefore, the general assembly declares its commitment to
24 eliminating the budget stabilization factor in this year and subsequent
25 years to the degree possible, subject to the continuing high levels of
26 property values and changing economic conditions.

27 **SECTION 2.** In Colorado Revised Statutes, 22-45-103, **add**

1 (1)(k)(III) as follows:

2 **22-45-103. Funds.** (1) The following funds are created for each
3 school district for purposes specified in this article 45.

4 (k) **Total program reserve fund - repeal.** (III) THIS SECTION IS
5 REPEALED, EFFECTIVE JULY 1, 2025.

6 **SECTION 3.** In Colorado Revised Statutes, 22-54-103, **add** (5.7),
7 (8.3), and (10.7) as follows:

8 **22-54-103. Definitions.** As used in this article 54, unless the
9 context otherwise requires:

10 (5.7) "DISTRICT RURAL FUNDING" MEANS A SMALL RURAL DISTRICT
11 OR LARGE RURAL DISTRICT THAT RECEIVES FUNDING PURSUANT TO
12 SECTION 22-54-104 (4.9).

13 (8.3) "LARGE RURAL DISTRICT" MEANS A DISTRICT THAT THE
14 DEPARTMENT OF EDUCATION DETERMINES IS A RURAL DISTRICT, BASED ON
15 THE GEOGRAPHIC SIZE OF THE DISTRICT AND THE DISTANCE OF THE
16 DISTRICT FROM THE NEAREST LARGE, URBANIZED AREA, AND THAT HAS A
17 FUNDED PUPIL COUNT OF AT LEAST ONE THOUSAND BUT FEWER THAN SIX
18 THOUSAND FIVE HUNDRED PUPILS IN KINDERGARTEN THROUGH TWELFTH
19 GRADE.

20 (10.7) "SMALL RURAL DISTRICT" MEANS A DISTRICT THAT THE
21 DEPARTMENT OF EDUCATION DETERMINES IS A RURAL DISTRICT, BASED ON
22 THE GEOGRAPHIC SIZE OF THE DISTRICT AND THE DISTANCE OF THE
23 DISTRICT FROM THE NEAREST LARGE, URBANIZED AREA, AND THAT HAS A
24 FUNDED PUPIL COUNT OF FEWER THAN ONE THOUSAND PUPILS IN
25 KINDERGARTEN THROUGH TWELFTH GRADE.

26 **SECTION 4.** In Colorado Revised Statutes, 22-54-104, **amend**
27 (2)(a)(X); and **add** (4.9), (5)(a)(XXXI), and (5.5) as follows:

1 **22-54-104. District total program - definitions - repeal.**

2 (2) (a) (X) Except as otherwise provided in this subsection (2) ~~subsection~~
3 ~~(5)(g) of this section~~, or section 22-54-104.3, a district's total program for
4 the 2021-22 budget year and budget years thereafter is the greater of the
5 following:

6 (A) (District per pupil funding x (District funded pupil count -
7 District online pupil enrollment - District extended high school pupil
8 enrollment)) + District at-risk funding + District English language learner
9 funding + District online funding + District extended high school funding
10 + DISTRICT RURAL FUNDING; or

11 (B) (Minimum per pupil funding x (District funded pupil count -
12 District online pupil enrollment - District extended high school pupil
13 enrollment)) + District online funding + District extended high school
14 funding + DISTRICT RURAL FUNDING.

15 (4.9) (a) FOR THE 2024-25 BUDGET YEAR AND BUDGET YEARS
16 THEREAFTER, A DISTRICT'S DISTRICT RURAL FUNDING, IF A DISTRICT IS
17 ELIGIBLE, IS DETERMINED IN ACCORDANCE WITH THE FOLLOWING
18 FORMULAS:

19 (I) FOR A SMALL RURAL DISTRICT, DISTRICT RURAL FUNDING IS THE
20 GREATER OF:

21 (A) (DISTRICT FUNDED PUPIL COUNT X \$470.75); OR

22 (B) ONE HUNDRED THOUSAND DOLLARS; OR

23 (II) FOR A LARGE RURAL DISTRICT, DISTRICT RURAL FUNDING IS
24 THE GREATER OF:

25 (A) (DISTRICT FUNDED PUPIL COUNT X \$177.80); OR

26 (B) ONE HUNDRED THOUSAND DOLLARS.

27 (b) FOR THE 2025-26 BUDGET YEAR AND BUDGET YEARS

1 THEREAFTER, THE DOLLAR AMOUNTS SET FORTH IN SUBSECTION (4.9)(a)
2 OF THIS SECTION ARE ANNUALLY INCREASED BY THE RATE OF INFLATION,
3 AS DEFINED IN SECTION 22-55-102.

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

5 (a) (XXXI) FOR THE 2024-25 BUDGET YEAR, THE STATEWIDE BASE
6 PER PUPIL FUNDING IS \$8,496.38, WHICH IS AN AMOUNT EQUAL TO
7 \$8,076.41, SUPPLEMENTED BY \$419.97 TO ACCOUNT FOR INFLATION.

8 (5.5) FOR THE 2024-25 BUDGET YEAR, AND EACH BUDGET YEAR
9 THEREAFTER, THE DEPARTMENT OF EDUCATION AND THE STAFF OF THE
10 LEGISLATIVE COUNCIL SHALL DETERMINE, BASED ON BUDGET
11 PROJECTIONS, THE AMOUNT TO ENSURE THAT, FOR THE 2024-25 BUDGET
12 YEAR, THE SUM OF TOTAL PROGRAM FUNDING FOR ALL DISTRICTS,
13 INCLUDING FUNDING FOR INSTITUTE CHARTER SCHOOLS, IS NOT LESS THAN
14 NINE BILLION SEVEN HUNDRED THIRTY-FIVE MILLION SEVEN HUNDRED
15 SIXTY-SEVEN THOUSAND FOUR HUNDRED TWENTY-NINE DOLLARS
16 (\$9,735,767,429); EXCEPT THAT THE DEPARTMENT OF EDUCATION AND
17 THE STAFF OF THE LEGISLATIVE COUNCIL SHALL MAKE MID-YEAR
18 REVISIONS TO REPLACE PROJECTIONS WITH ACTUAL FIGURES, INCLUDING,
19 BUT NOT LIMITED TO, ACTUAL PUPIL ENROLLMENT, ASSESSED VALUATIONS,
20 AND SPECIFIC OWNERSHIP TAX REVENUE FROM THE PRIOR YEAR, TO
21 DETERMINE ANY NECESSARY CHANGES IN THE AMOUNT OF THE REDUCTION
22 TO MAINTAIN TOTAL PROGRAM FUNDING FOR THE APPLICABLE BUDGET
23 YEAR THAT IS CONSISTENT WITH THIS SUBSECTION (5.5).

24 **SECTION 5. In Colorado Revised Statutes, 22-54-104.2, add (5)**
25 **as follows:**

26 **22-54-104.2. Legislative declaration. (5) THE GENERAL**
27 **ASSEMBLY FURTHER FINDS AND DECLARES THAT, FOR PURPOSES OF**

1 SECTION 17 OF ARTICLE IX OF THE STATE CONSTITUTION, THE
2 CONSTRUCTION AND IMPLEMENTATION OF THE NEW AT-RISK MEASURE
3 DESCRIBED IN SECTION 22-54-104.6, INCLUDING THE COLLECTION OF THE
4 NECESSARY DATA TO IMPLEMENT THE NEW AT-RISK MEASURE DESCRIBED
5 IN SECTION 22-54-104.6 (9)(a), IS AN IMPORTANT PART OF PROVIDING
6 ACCOUNTABLE PROGRAMS TO MEET STATE ACADEMIC STANDARDS AND
7 MAY THEREFORE RECEIVE FUNDING FROM THE STATE EDUCATION FUND
8 CREATED IN SECTION 17 (4) OF ARTICLE IX OF THE STATE CONSTITUTION.

9 **SECTION 6.** In Colorado Revised Statutes, 22-54-104.6, **amend**
10 (3) introductory portion as follows:

11 **22-54-104.6. Implementation of at-risk measure - working**
12 **group - creation - department duties - reports - legislative declaration**
13 **- definitions - repeal.** (3) Beginning in the ~~2024-25 budget year~~ 2025-26
14 BUDGET YEAR, there is created a new at-risk measure in the public school
15 funding formula for identifying students who are at risk of below-average
16 academic outcomes because of socioeconomic disadvantage or poverty.
17 The new at-risk measure replaces the at-risk measure in effect for the
18 ~~2023-24 budget year~~ 2024-25 BUDGET YEAR. The new at-risk measure is
19 designed to allocate financial resources to public schools to serve the
20 needs of at-risk students. The new at-risk measure includes:

21 **SECTION 7.** In Colorado Revised Statutes, 22-54-107, **amend**
22 (5) as follows:

23 **22-54-107. Buy-out of categorical programs - total program**
24 **reserve fund levy.** (5) (a) For the 2016-17 budget year ~~and each budget~~
25 ~~year thereafter~~ THROUGH THE 2024-25 BUDGET YEAR, if a district levies
26 the number of mills calculated pursuant to section 22-54-106 (2)(a)(II),
27 (2.1)(b)(I)(C), or (2.1)(c)(I), whichever is applicable, and the additional

1 mill levy described in subsection (1) of this section for categorical
2 support funds, and the combined total of the two levies is less than the
3 number of mills that the district levied in the preceding budget year, the
4 district, in addition to the two levies, shall assess a number of mills equal
5 to the difference between the combined total of the two levies and the
6 number of mills levied in the preceding budget year. The district shall
7 deposit the property tax revenue collected from the mills levied pursuant
8 to this subsection (5) in the total program reserve fund created in section
9 22-45-103 (1)(k).

10 (b) FOR THE 2025-26 BUDGET YEAR AND EACH BUDGET YEAR
11 THEREAFTER, IF A DISTRICT LEVIES THE NUMBER OF MILLS CALCULATED
12 PURSUANT TO SECTION 22-54-106 (2.1)(c)(I) AND THE ADDITIONAL MILL
13 LEVY DESCRIBED IN SUBSECTION (1) OF THIS SECTION FOR CATEGORICAL
14 SUPPORT FUNDS, AND THE COMBINED TOTAL OF THE TWO LEVIES IS LESS
15 THAN THE NUMBER OF MILLS THAT THE DISTRICT LEVIED IN THE
16 PRECEDING BUDGET YEAR, THE DISTRICT, IN ADDITION TO THE TWO LEVIES,
17 SHALL ASSESS A NUMBER OF MILLS EQUAL TO THE DIFFERENCE BETWEEN
18 THE COMBINED TOTAL OF THE TWO LEVIES AND THE NUMBER OF MILLS
19 LEVIED IN THE PRECEDING BUDGET YEAR. THE REVENUE COLLECTED FROM
20 THE MILLS LEVIED PURSUANT TO THIS SUBSECTION (5)(b) MUST BE
21 AVAILABLE TO THE DISTRICT TO FUND THE COSTS OF PROVIDING PUBLIC
22 EDUCATION, AND, EXCEPT AS OTHERWISE PROVIDED IN SECTION
23 22-54-105, THE AMOUNTS AND PURPOSES FOR WHICH THE MONEY IS
24 BUDGETED AND EXPENDED MUST BE IN THE DISTRICT'S DISCRETION.

25 **SECTION 8.** In Colorado Revised Statutes, 22-54-107.9, **amend**
26 (1)(l) and (3)(b)(II); and **add** (7)(a.5) as follows:

27 **22-54-107.9. Override mill levy match - calculation -**

1 **distribution - fund created - legislative declaration - definitions.**

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

3 (l) "Total program" means the amount of total program funding
4 for a district calculated pursuant to section 22-54-104 (2). ~~before~~
5 ~~application of the budget stabilization factor.~~

6 (3) (b) If more than ten percent of a district's funded pupil count
7 for the applicable budget year is attributable to the district's online pupil
8 enrollment, the department shall calculate the district's adjusted total
9 program as follows:

10 (II) The department shall subtract from the district's total program
11 for the applicable budget year an amount equal to the district's reduced
12 online pupil enrollment, calculated pursuant to subsection (3)(b)(I) of this
13 section, multiplied by the per pupil online funding amount for the
14 applicable budget year as described in section 22-54-104 (4.5)(c)(II).
15 ~~before application of the budget stabilization factor.~~

16 (7) (a.5) ON JULY 1, 2024, THE STATE TREASURER SHALL
17 TRANSFER FIFTEEN MILLION SEVEN HUNDRED FIFTEEN THOUSAND FIVE
18 HUNDRED THIRTY-NINE DOLLARS (\$15,715,539) FROM THE STATE
19 EDUCATION FUND TO THE MILL LEVY OVERRIDE MATCH FUND.

20 **SECTION 9.** In Colorado Revised Statutes, 22-54-108, **amend**
21 (5)(b) as follows:

22 **22-54-108. Authorization of additional local revenues -**
23 **definitions.** (5) As used in this section, unless the context otherwise
24 requires:

25 (b) "Total program", on and after July 1, 2023, means a district's
26 or small rural district's total program calculated pursuant to section
27 22-54-104 (2) ~~before application of the budget stabilization factor~~

1 pursuant to section 22-54-104 (5)(g), plus the amount the district or small
2 rural district receives for students enrolled through the Colorado universal
3 preschool program pursuant to part 2 of article 4 of title 26.5.

4 **SECTION 10.** In Colorado Revised Statutes, 22-54-117, **amend**
5 (1)(a) introductory portion and (1)(a)(VIII) as follows:

6 **22-54-117. Contingency reserve - fund - repeal.** (1) (a) For the
7 2007-08 fiscal year and fiscal years thereafter, the general assembly shall
8 annually determine the amount to appropriate to the contingency reserve
9 fund, which is hereby created in the state treasury. In deciding the amount
10 to appropriate to the contingency reserve fund, the general assembly may
11 take into consideration any recommendations made by the department of
12 education, but nothing in this section obligates the general assembly to
13 provide supplemental assistance to all districts that are found to be in
14 need or to fully fund the total amount of such need. The state board may
15 approve and order payments from the contingency reserve fund for
16 supplemental assistance to districts determined to be in need as the result
17 of any or all of the following circumstances:

18 (VIII) (A) Commencing with the 2016-17 budget year, unusual
19 financial burden caused by a significant reduction in the assessed value
20 of real property in a district whose state share of total program funding
21 pursuant to section 22-54-106 before the application of the budget
22 stabilization factor pursuant to section 22-54-104 (5)(g) was less than
23 one-half of one percent of the district's total program funding in the
24 previous budget year, causing the district to receive a state share that is
25 one-half of one percent of total program funding or greater before
26 application of the budget stabilization factor in the budget year in which
27 the assessed value is reduced. The amount of supplemental assistance

1 paid pursuant to this subsection (1)(a)(VIII) shall not exceed twenty-five
2 percent of the amount of the reduction in the district's state share as a
3 result of the budget stabilization factor. A school district may receive
4 supplemental assistance pursuant to this subsection (1)(a)(VIII) only one
5 time.

6 (B) THIS SUBSECTION (1)(a)(VIII) IS REPEALED, EFFECTIVE JULY
7 1, 2025.

8 **SECTION 11.** In Colorado Revised Statutes, 22-54-146, **amend**
9 (1) and (2) as follows:

10 **22-54-146. Hold-harmless at-risk funding - 2023-24 and**
11 **2024-25 budget years - repeal.** (1) (a) For the 2023-24 budget year, a
12 district's at-risk funding, as determined pursuant to section 22-54-104 (4),
13 is the greater of the district's at-risk funding amount for the 2022-23
14 budget year or the district's at-risk funding amount for the 2023-24 budget
15 year.

16 (b) FOR THE 2024-25 BUDGET YEAR, A DISTRICT'S AT-RISK
17 FUNDING, AS DETERMINED PURSUANT TO SECTION 22-54-104 (4), IS THE
18 GREATER OF THE DISTRICT'S AT-RISK FUNDING AMOUNT FOR THE 2023-24
19 BUDGET YEAR OR THE DISTRICT'S AT-RISK FUNDING AMOUNT FOR THE
20 2024-25 BUDGET YEAR.

21 (2) (a) If, pursuant to ~~subsection (1)~~ SUBSECTION (1)(a) of this
22 section, a district's at-risk funding amount for the 2022-23 budget year
23 was greater than the district's at-risk funding amount for the 2023-24
24 budget year, any additional amount owed to that district for at-risk
25 funding for the 2023-24 budget year must be paid after mid-year revisions
26 are made to replace projections with actual figures.

27 (b) IF, PURSUANT TO SUBSECTION (1)(b) OF THIS SECTION, A

1 DISTRICT'S AT-RISK FUNDING AMOUNT FOR THE 2023-24 BUDGET YEAR
2 WAS GREATER THAN THE DISTRICT'S AT-RISK FUNDING AMOUNT FOR THE
3 2024-25 BUDGET YEAR, ANY ADDITIONAL AMOUNT OWED TO THAT
4 DISTRICT FOR AT-RISK FUNDING FOR THE 2024-25 BUDGET YEAR MUST BE
5 PAID AFTER MID-YEAR REVISIONS ARE MADE TO REPLACE PROJECTIONS
6 WITH ACTUAL FIGURES.

7 **SECTION 12.** In Colorado Revised Statutes, 22-2-405, **amend**
8 (4)(b) as follows:

9 **22-2-405. Facility schools office - duties.** (4) (b) On or before
10 ~~September 1, 2025~~ SEPTEMBER 1, 2026, the qualified third-party evaluator
11 shall submit a report to the work group and the office summarizing the
12 measures and recommendations described in subsection (4)(a) of this
13 section. The report must be included in the ~~October 1, 2025~~ OCTOBER 1,
14 2026, report required pursuant to section 22-2-407.5 (4)(e).

15 **SECTION 13.** In Colorado Revised Statutes, 22-2-407.5, **amend**
16 (4)(e)(IV) as follows:

17 **22-2-407.5. Facility schools - sustainable model of education**
18 **for facility students - work group - created - membership - duties -**
19 **reporting requirements - funding.** (4) (e) (IV) As part of the ~~October~~
20 ~~1, 2025~~ OCTOBER 1, 2026, report required pursuant to subsection (4)(e)(I)
21 of this section, the department shall include the report summarizing the
22 evaluation measures and recommendations described in section 22-2-405
23 (4).

24 == ==

25 **SECTION 14.** In Colorado Revised Statutes, **22-20-114.5,**
26 **amend (3)(b)(I)** as follows:

27 **22-20-114.5. Special education fiscal advisory committee -**

1 special education high-cost grants - definitions - repeal.
2 (3) (b) (I) Subject to the requirements of paragraph (a.5) of this
3 subsection (3) SUBSECTION (3)(a.5) OF THIS SECTION, the committee shall
4 have HAS the discretion to award a grant to an administrative unit that
5 applies and qualifies to receive a grant pursuant to paragraph (a) of this
6 subsection (3) SUBSECTION (3)(a) OF THIS SECTION. In determining
7 whether to award a grant to an administrative unit and the amount of the
8 grant to be awarded, the committee shall consider the administrative unit's
9 annual audited operating expenses for the preceding budget year, OR THE
10 ADMINISTRATIVE UNIT'S ANNUAL AUDITED OPERATING EXPENSES FOR ONE
11 YEAR PRIOR TO THE PRECEDING BUDGET YEAR IF THE ANNUAL AUDITED
12 OPERATING EXPENSES FOR THE MOST RECENT PRECEDING BUDGET YEAR
13 ARE NOT AVAILABLE, and the percentage of the administrative unit's
14 annual audited operating expenses, OR THE ADMINISTRATIVE UNIT'S
15 ANNUAL AUDITED OPERATING EXPENSES FOR ONE YEAR PRIOR TO THE
16 PRECEDING BUDGET YEAR IF THE ANNUAL AUDITED OPERATING EXPENSES
17 FOR THE MOST RECENT PRECEDING BUDGET YEAR ARE NOT AVAILABLE,
18 that represents the high costs incurred by the administrative unit in the
19 preceding budget year. All grants awarded by the committee shall be ARE
20 subject to approval by the state board.

21 **SECTION 15.** In Colorado Revised Statutes, 22-32-141, **amend**
22 (4)(d)(I) and (4)(d)(III) as follows:

23 **22-32-141. Student awaiting trial as adult - educational**
24 **services - definitions.** (4) (d) (I) In addition to any moneys MONEY
25 received pursuant to paragraph (a), (b), or (c) of this subsection (4)
26 SUBSECTION (4)(a), (4)(b), OR (4)(c) OF THIS SECTION, a school district
27 that provides educational services pursuant to this section shall receive

1 from the department of education an amount equal to the daily rate
2 established pursuant to section 22-54-129 for educational services
3 provided by ~~approved facility schools~~ STATE PROGRAMS, AS DEFINED IN
4 SECTION 22-54-129, multiplied by the number of days, excluding
5 Saturdays and Sundays, that the juvenile is held in a jail or facility, ~~so~~
6 ~~long as~~ IF the juvenile is receiving at least four hours of educational
7 services per week.

8 (III) On or before the fifteenth day of the month following the
9 month in which a jail or facility reported the number of juveniles who
10 received educational services at the jail or facility, the department of
11 education shall pay the school district that provided the educational
12 services the appropriate amount based on the daily rate established for
13 ~~approved facility schools~~ STATE PROGRAMS pursuant to section 22-54-129
14 and the number of juveniles who received educational services.

15 **SECTION 16.** In Colorado Revised Statutes, 22-14-109.5,
16 **amend** (4)(d) as follows:

17 **22-14-109.5. Ninth-grade success grant program - created -**
18 **criteria - use of grant money - report - rules - definitions - repeal.**
19 (4) (d) The department shall not use more than ~~five~~ EIGHT percent of state
20 funds to administer the grant program.

21 **SECTION 17.** In Colorado Revised Statutes, 22-35-103, **amend**
22 (6)(a) as follows:

23 **22-35-103. Definitions.** As used in this article 35, unless the
24 context otherwise requires:

25 (6) (a) "Concurrent enrollment" means the simultaneous
26 enrollment of a qualified student in a local education provider and in one
27 or more postsecondary courses, including academic or career and

1 technical education courses, which may include ~~course work~~
2 COURSEWORK related to apprenticeship programs or internship programs,
3 at an institution of higher education pursuant to the provisions of this
4 article 35, at no tuition cost to the qualified student or the qualified
5 student's parent or legal guardian. ~~As provided in section 22-35-104 (5)~~
6 ~~and (6)(b)(II), upon successfully completing a concurrent enrollment~~
7 ~~postsecondary course, the qualified student must receive credit that~~
8 ~~applies to completion of high school graduation requirements and~~
9 ~~postsecondary credit that applies toward completion of developmental~~
10 ~~education courses, applies toward earning a certificate or degree awarded~~
11 ~~through an approved postsecondary career and technical education~~
12 ~~program, is approved by the department of higher education for transfer~~
13 ~~from a two-year institution to a four-year institution in satisfaction of~~
14 ~~prerequisite courses for a specific major, is approved for statewide~~
15 ~~transfer pursuant to section 23-1-125, or is part of a statewide degree~~
16 ~~transfer agreement pursuant to section 23-1-108 (7)(a).~~

17 **SECTION 18.** In Colorado Revised Statutes, 22-35-104, **amend**
18 (3) and (5) as follows:

19 **22-35-104. Enrollment in an institution of higher education -**
20 **cooperative agreement.** (3) A qualified student who seeks to
21 concurrently enroll in an institution of higher education shall establish, in
22 consultation with the administration of ~~his or her~~ THE QUALIFIED
23 STUDENT'S local education provider, an academic plan of study that
24 describes all of the courses that the QUALIFIED student intends to complete
25 to satisfy ~~his or her~~ THE QUALIFIED STUDENT'S remaining requirements for
26 graduation from the local education provider, OR FOR A QUALIFIED
27 STUDENT WHO RECEIVES TRANSITION SERVICES, AN ACADEMIC PLAN OF

1 STUDY THAT DESCRIBES ALL OF THE COURSES THAT THE QUALIFIED
2 STUDENT INTENDS TO COMPLETE TO SATISFY THE QUALIFIED STUDENT'S
3 REMAINING POSTSECONDARY GOALS OUTLINED IN THE QUALIFIED
4 STUDENT'S INDIVIDUALIZED EDUCATION PROGRAM. Prior to the qualified
5 student's concurrent enrollment in the institution of higher education, the
6 principal, a counselor, or a teacher advisor of the qualified student's local
7 education provider shall approve the academic plan of study. In approving
8 an academic plan of study, a principal, counselor, or teacher advisor shall
9 apply the guidelines established by rules promulgated by the state board
10 pursuant to section 22-35-111 (1)(b).

11 (5) (a) A course, including ~~course work~~ COURSEWORK related to
12 an apprenticeship program or internship program ~~successfully completed~~
13 ~~by a qualified student~~ THAT A QUALIFIED STUDENT SUCCESSFULLY
14 COMPLETES through concurrent enrollment at an institution of higher
15 education counts for credit toward the qualified student's high school
16 graduation requirements at ~~his or her~~ THE QUALIFIED STUDENT'S local
17 education provider; EXCEPT THAT A QUALIFIED STUDENT WHO RECEIVES
18 TRANSITION SERVICES AND WHO SUCCESSFULLY COMPLETES A COURSE
19 MUST EARN CREDIT TOWARDS THE POSTSECONDARY GOALS IDENTIFIED IN
20 THE QUALIFIED STUDENT'S INDIVIDUALIZED EDUCATION PROGRAM.

21 (b) UPON A QUALIFIED STUDENT'S SUCCESSFUL COMPLETION OF A
22 CONCURRENT ENROLLMENT COURSE, THE QUALIFIED STUDENT MUST
23 RECEIVE CREDIT THAT APPLIES TO THE COMPLETION OF HIGH SCHOOL
24 GRADUATION REQUIREMENTS, OR A QUALIFIED STUDENT WHO RECEIVES
25 TRANSITION SERVICES MUST EARN CREDIT THAT IS APPLIED TO THE
26 POSTSECONDARY GOALS IDENTIFIED IN THE QUALIFIED STUDENT'S
27 INDIVIDUALIZED EDUCATION PLAN. UPON COMPLETION OF THE

1 CONCURRENT ENROLLMENT COURSE, THE QUALIFIED STUDENT MUST EARN
2 POSTSECONDARY CREDIT AS DESCRIBED IN SUBSECTION (6)(b)(II) OF THIS
3 SECTION THAT APPLIES TOWARD COMPLETION OF DEVELOPMENTAL
4 COURSES OR TOWARD EARNING A CERTIFICATE OR DEGREE THROUGH AN
5 APPROVED POSTSECONDARY CAREER AND TECHNICAL EDUCATION
6 PROGRAM, THAT IS APPROVED BY THE DEPARTMENT OF HIGHER EDUCATION
7 FOR TRANSFER FROM A TWO-YEAR INSTITUTION TO A FOUR-YEAR
8 INSTITUTION IN SATISFACTION OF PREREQUISITE COURSES FOR A SPECIFIC
9 MAJOR, IS APPROVED FOR STATEWIDE TRANSFER PURSUANT TO SECTION
10 23-1-125, OR IS APPROVED AS PART OF A STATEWIDE DEGREE TRANSFER
11 AGREEMENT PURSUANT TO SECTION 23-1-108 (7)(a).

12 **SECTION 19. In Colorado Revised Statutes, 24-75-402, amend**
13 **(5)(ccc) and (5)(ddd); and add (5)(eee) as follows:**

14 **24-75-402. Cash funds - limit on uncommitted reserves -**
15 **reduction in the amount of fees - exclusions - definitions.**
16 **(5) Notwithstanding any provision of this section to the contrary, the**
17 **following cash funds are excluded from the limitations specified in this**
18 **section:**

19 **(ccc) The wildfire resiliency code board cash fund created in**
20 **section 24-33.5-1236 (8); and**

21 **(ddd) The closed landfill remediation grant program fund created**
22 **in section 30-20-124 (8); AND**

23 **(eee) THE EDUCATOR LICENSURE CASH FUND CREATED IN SECTION**
24 **22-60.5-112 (1)(a).**

25 **SECTION 20. Appropriation. (1) For the 2024-25 state fiscal**
26 **year, \$32,878,255 is appropriated to the department of education. This**
27 **appropriation is from the state education fund created in section 17 (4)(a)**

1 of article IX of the state constitution. To implement this act, the
2 department may use this appropriation as follows:

3 (a) \$32,651,579 for the state share of districts' total program
4 funding; and

5 (b) \$226,676 for administration related to public school finance
6 for the implementation of section 22-54-104.6, C.R.S., which amount is
7 based on an assumption that the department will require an additional 1.0
8 FTE.

9 **SECTION 21. Appropriation.** For the 2024-25 state fiscal year,
10 \$15,715,539 is appropriated to the department of education. This
11 appropriation is from the mill levy override match fund created in section
12 22-54-107.9 (6)(a), C.R.S. To implement this act, the department may use
13 this appropriation for mill levy override matching pursuant to section
14 22-54-107.9, C.R.S.

15 **SECTION 22. Safety clause.** The general assembly finds,
16 determines, and declares that this act is necessary for the immediate
17 preservation of the public peace, health, or safety or for appropriations for
18 the support and maintenance of the departments of the state and state
19 institutions.