

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

PREAMENDED

*This Unofficial Version Includes Committee
Amendments Not Yet Adopted on Second Reading*

LLS NO. 25-0485.01 Alana Rosen x2606

SENATE BILL 25-073

SENATE SPONSORSHIP

Liston and Marchman,

HOUSE SPONSORSHIP

Keltie and Martinez,

Senate Committees
Education

House Committees

A BILL FOR AN ACT

101 **CONCERNING ENHANCING SUPPORT FOR MILITARY-CONNECTED**
102 **CHILDREN WITH DISABILITIES WHO ENROLL IN COLORADO**
103 **SCHOOLS.**

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 clarifies the process and timeline for an administrative unit or a state-operated program to provide special education services to a military-connected child with disabilities (child) who transfers from one administrative unit or state-operated program within Colorado to another, or transfers from an out-of-state school district or private school to an

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.*

administrative unit or a state-operated program within Colorado, as a result of an inbound active duty military member's (member) order to permanently change military stations.

For a child who transfers from an administrative unit or state-approved program to a private school within Colorado, or transfers from an out-of-state school district or private school to a private school within Colorado, the administrative unit with jurisdiction over the geographic boundary that the private school is located in shall review the child's evaluation information and existing individualized education program (IEP) or section 504 plan in consultation with the child's member, parent, legal guardian, or custodian. The administrative unit shall determine and provide equitable special education and related services, an IEP, or a section 504 plan to the child enrolled in the private school.

For a child who transfers from an out-of-state school district or private school with an individualized family service plan, the administrative unit or the state-operated program shall follow the process to coordinate, in conjunction with the department of early childhood, the transition of the child from an early intervention program for infants and toddlers pursuant to part C of the federal "Individuals with Disabilities Education Act" (IDEA) to a program component to serve children with disabilities from 3 to 21 years of age pursuant to part B of the IDEA.

The bill requires an administrative unit, a state-operated program, or an administrative unit with jurisdiction over the geographic boundary that a private school is located in to receive informed consent from the member, parent, legal guardian, or custodian of a child before:

- There are revisions to the child's category of disability;
- There are revisions to the child's IEP or section 504 plan;
- There are changes to the child's eligibility for special education and related services; or
- There is a partial or complete termination of special education and related services, except if the child graduates with a standard or advanced studies diploma.

In the event a dispute between an administrative unit or a state-operated program and a member, parent, legal guardian, or custodian of a child results in a due process hearing, the administrative unit or the state-operated program has the burden of proof.

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

2 **SECTION 1. In Colorado Revised Statutes, 22-36-107, add (3)(f)**

3 **and (3)(g) as follows:**

4 **22-36-107. Inbound active duty military families - school**

1 **enrollment - registration - legislative declaration - definitions.**

2 (3) (f) CONSISTENT WITH EXISTING STATE AND FEDERAL LAW AND
3 REGULATIONS, THE CHILD OF AN INBOUND ACTIVE DUTY MILITARY
4 MEMBER WHO HAS AN EXISTING INDIVIDUALIZED EDUCATION PROGRAM,
5 AS DEFINED IN SECTION 22-20-103, OR AN EXISTING SECTION 504 PLAN, AS
6 DEFINED IN SECTION 22-20-123, IS ELIGIBLE FOR OPEN ENROLLMENT AND
7 GUARANTEED MATRICULATION PURSUANT TO THIS SECTION. THE SCHOOL
8 DISTRICT OR CHARTER SCHOOL WHERE THE STUDENT ENROLLS SHALL
9 ENSURE THAT THE STUDENT RECEIVES THE APPROPRIATE SERVICES AND
10 ACCOMMODATIONS, CONSISTENT WITH THE CHILD'S EXISTING
11 INDIVIDUALIZED EDUCATION PROGRAM OR SECTION 504 PLAN WITHOUT
12 UNREASONABLE DELAY UPON ENROLLMENT.

13 (g) EACH SCHOOL DISTRICT AND CHARTER SCHOOL SHALL TAKE
14 REASONABLE STEPS TO NOTIFY INBOUND ACTIVE DUTY MILITARY MEMBERS
15 AND THEIR FAMILIES OF THEIR RIGHTS PURSUANT TO THIS SECTION,
16 INCLUDING PROVIDING INFORMATION ON ELIGIBILITY FOR SPECIAL
17 EDUCATION SERVICES TO PREVENT INADVERTENT EXCLUSION AND TO
18 ENSURE INBOUND ACTIVE DUTY MILITARY MEMBERS AND THEIR FAMILIES
19 ARE FULLY INFORMED OF AVAILABLE SUPPORTS.

20 **SECTION 2. Act subject to petition - effective date.** This act
21 takes effect at 12:01 a.m. on the day following the expiration of the
22 ninety-day period after final adjournment of the general assembly; except
23 that, if a referendum petition is filed pursuant to section 1 (3) of article V
24 of the state constitution against this act or an item, section, or part of this
25 act within such period, then the act, item, section, or part will not take
26 effect unless approved by the people at the general election to be held in

- 1 November 2026 and, in such case, will take effect on the date of the
- 2 official declaration of the vote thereon by the governor.