

CHAPTER 235

EDUCATION - PUBLIC SCHOOLS

SENATE BILL 24-188

BY SENATOR(S) Zenzinger and Buckner, Coleman, Cutter, Exum, Ginal, Gonzales, Kirkmeyer, Liston, Lundeen, Marchman, Michaelson Jenet, Mullica, Priola, Rich, Roberts, Rodriguez, Sullivan, Will;
 also REPRESENTATIVE(S) Bird and McLachlan, Bacon, Boesenecker, Brown, Daugherty, deGruy Kennedy, Duran, English, Epps, Froelich, Garcia, Hamrick, Hernandez, Herod, Jodeh, Joseph, Kipp, Lieder, Lindsay, Lindstedt, Lukens, Mabrey, Marvin, Mauro, McCormick, Ortiz, Parenti, Ricks, Rutinel, Sirota, Snyder, Story, Valdez, Velasco, Vigil, Weissman, Willford, Woodrow, Young, McCluskie.

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

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

SECTION 1. Legislative declaration. (1) The general assembly finds and declares that:

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

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

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

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

(e) The current economic conditions have also increased the amount of revenue

Capital letters or bold & italic numbers indicate new material added to existing law; dashes through words or numbers indicate deletions from existing law and such material is not part of the act.

available to the state for the 2024-25 budget year, allowing the state to significantly increase the amount of appropriation for the state's share of total program funding for school districts and institute charter schools, thereby eliminating the budget stabilization factor; and

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

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

SECTION 2. In Colorado Revised Statutes, 22-45-103, **add** (1)(k)(III) as follows:

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

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

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

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

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

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

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

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

22-54-104. District total program - definitions - repeal. (2) (a) (X) Except as otherwise provided in this subsection (2) ~~subsection (5)(g) of this section~~, or section

22-54-104.3, a district's total program for the 2021-22 budget year and budget years thereafter is the greater of the following:

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

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

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

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

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

(B) ONE HUNDRED THOUSAND DOLLARS; OR

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

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

(B) ONE HUNDRED THOUSAND DOLLARS.

(b) FOR THE 2025-26 BUDGET YEAR AND BUDGET YEARS THEREAFTER, THE DOLLAR AMOUNTS SET FORTH IN SUBSECTION (4.9)(a) OF THIS SECTION ARE ANNUALLY INCREASED BY THE RATE OF INFLATION, AS DEFINED IN SECTION 22-55-102.

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

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

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

MAINTAIN TOTAL PROGRAM FUNDING FOR THE APPLICABLE BUDGET YEAR THAT IS CONSISTENT WITH THIS SUBSECTION (5.5).

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

22-54-104.2. Legislative declaration. (5) THE GENERAL ASSEMBLY FURTHER FINDS AND DECLARES THAT, FOR PURPOSES OF SECTION 17 OF ARTICLE IX OF THE STATE CONSTITUTION, THE CONSTRUCTION AND IMPLEMENTATION OF THE NEW AT-RISK MEASURE DESCRIBED IN SECTION 22-54-104.6, INCLUDING THE COLLECTION OF THE NECESSARY DATA TO IMPLEMENT THE NEW AT-RISK MEASURE DESCRIBED IN SECTION 22-54-104.6 (9)(a), IS AN IMPORTANT PART OF PROVIDING ACCOUNTABLE PROGRAMS TO MEET STATE ACADEMIC STANDARDS AND MAY THEREFORE RECEIVE FUNDING FROM THE STATE EDUCATION FUND CREATED IN SECTION 17(4) OF ARTICLE IX OF THE STATE CONSTITUTION.

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

22-54-104.6. Implementation of at-risk measure - working group - creation - department duties - reports - legislative declaration - definitions - repeal.

(3) Beginning in the ~~2024-25 budget year~~ 2025-26 BUDGET YEAR, there is created a new at-risk measure in the public school funding formula for identifying students who are at risk of below-average academic outcomes because of socioeconomic disadvantage or poverty. The new at-risk measure replaces the at-risk measure in effect for the ~~2023-24 budget year~~ 2024-25 BUDGET YEAR. The new at-risk measure is designed to allocate financial resources to public schools to serve the needs of at-risk students. The new at-risk measure includes:

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

22-54-107. Buy-out of categorical programs - total program reserve fund levy. (5) (a) For the 2016-17 budget year ~~and each budget year thereafter~~ THROUGH THE 2024-25 BUDGET YEAR, if a district levies the number of mills calculated pursuant to section 22-54-106 (2)(a)(II), (2.1)(b)(I)(C), or (2.1)(c)(I), whichever is applicable, and the additional mill levy described in subsection (1) of this section for categorical support funds, and the combined total of the two levies is less than the number of mills that the district levied in the preceding budget year, the district, in addition to the two levies, shall assess a number of mills equal to the difference between the combined total of the two levies and the number of mills levied in the preceding budget year. The district shall deposit the property tax revenue collected from the mills levied pursuant to this subsection (5) in the total program reserve fund created in section 22-45-103 (1)(k).

(b) FOR THE 2025-26 BUDGET YEAR AND EACH BUDGET YEAR THEREAFTER, IF A DISTRICT LEVIES THE NUMBER OF MILLS CALCULATED PURSUANT TO SECTION 22-54-106 (2.1)(c)(I) AND THE ADDITIONAL MILL LEVY DESCRIBED IN SUBSECTION (1) OF THIS SECTION FOR CATEGORICAL SUPPORT FUNDS, AND THE COMBINED TOTAL OF THE TWO LEVIES IS LESS THAN THE NUMBER OF MILLS THAT THE DISTRICT LEVIED IN THE PRECEDING BUDGET YEAR, THE DISTRICT, IN ADDITION TO THE TWO LEVIES, SHALL ASSESS A NUMBER OF MILLS EQUAL TO THE DIFFERENCE BETWEEN THE COMBINED TOTAL OF THE TWO LEVIES AND THE NUMBER OF MILLS LEVIED IN THE

PRECEDING BUDGET YEAR. THE REVENUE COLLECTED FROM THE MILLS LEVIED PURSUANT TO THIS SUBSECTION (5)(b) MUST BE AVAILABLE TO THE DISTRICT TO FUND THE COSTS OF PROVIDING PUBLIC EDUCATION, AND, EXCEPT AS OTHERWISE PROVIDED IN SECTION 22-54-105, THE AMOUNTS AND PURPOSES FOR WHICH THE MONEY IS BUDGETED AND EXPENDED MUST BE IN THE DISTRICT'S DISCRETION.

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

22-54-107.9. Override mill levy match - calculation - distribution - fund created - legislative declaration - definitions. (1) As used in this section, unless the context otherwise requires:

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

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

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

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

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

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

(b) "Total program", on and after July 1, 2023, means a district's or small rural district's total program calculated pursuant to section 22-54-104 (2) ~~before application of the budget stabilization factor pursuant to section 22-54-104 (5)(g)~~; plus the amount the district or small rural district receives for students enrolled through the Colorado universal preschool program pursuant to part 2 of article 4 of title 26.5.

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

22-54-117. Contingency reserve - fund - repeal. (1) (a) For the 2007-08 fiscal year and fiscal years thereafter, the general assembly shall annually determine the amount to appropriate to the contingency reserve fund, which is ~~hereby~~ created in the state treasury. In deciding the amount to appropriate to the contingency reserve

fund, the general assembly may take into consideration any recommendations made by the department of education, but nothing in this section obligates the general assembly to provide supplemental assistance to all districts that are found to be in need or to fully fund the total amount of such need. The state board may approve and order payments from the contingency reserve fund for supplemental assistance to districts determined to be in need as the result of any or all of the following circumstances:

(VIII) (A) Commencing with the 2016-17 budget year, unusual financial burden caused by a significant reduction in the assessed value of real property in a district whose state share of total program funding pursuant to section 22-54-106 before the application of the budget stabilization factor pursuant to section 22-54-104 (5)(g) was less than one-half of one percent of the district's total program funding in the previous budget year, causing the district to receive a state share that is one-half of one percent of total program funding or greater before application of the budget stabilization factor in the budget year in which the assessed value is reduced. The amount of supplemental assistance paid pursuant to this subsection (1)(a)(VIII) shall not exceed twenty-five percent of the amount of the reduction in the district's state share as a result of the budget stabilization factor. A school district may receive supplemental assistance pursuant to this subsection (1)(a)(VIII) only one time.

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

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

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

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

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

(b) IF, PURSUANT TO SUBSECTION (1)(b) OF THIS SECTION, A DISTRICT'S AT-RISK FUNDING AMOUNT FOR THE 2023-24 BUDGET YEAR WAS GREATER THAN THE DISTRICT'S AT-RISK FUNDING AMOUNT FOR THE 2024-25 BUDGET YEAR, ANY ADDITIONAL AMOUNT OWED TO THAT DISTRICT FOR AT-RISK FUNDING FOR THE 2024-25 BUDGET YEAR MUST BE PAID AFTER MID-YEAR REVISIONS ARE MADE TO REPLACE PROJECTIONS WITH ACTUAL FIGURES.

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

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

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

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

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

22-20-114.5. Special education fiscal advisory committee - special education high-cost grants - definitions - repeal. (3) (b) (I) Subject to the requirements of ~~paragraph (a.5) of this subsection (3)~~ SUBSECTION (3)(a.5) OF THIS SECTION, the committee ~~shall have~~ HAS the discretion to award a grant to an administrative unit that applies and qualifies to receive a grant pursuant to ~~paragraph (a) of this subsection (3)~~ SUBSECTION (3)(a) OF THIS SECTION. In determining whether to award a grant to an administrative unit and the amount of the grant to be awarded, the committee shall consider the administrative unit's annual audited operating expenses for the preceding budget year, OR THE ADMINISTRATIVE UNIT'S ANNUAL AUDITED OPERATING EXPENSES FOR ONE YEAR PRIOR TO THE PRECEDING BUDGET YEAR IF THE ANNUAL AUDITED OPERATING EXPENSES FOR THE MOST RECENT PRECEDING BUDGET YEAR ARE NOT AVAILABLE, and the percentage of the administrative unit's annual audited operating expenses, OR THE ADMINISTRATIVE UNIT'S ANNUAL AUDITED OPERATING EXPENSES FOR ONE YEAR PRIOR TO THE PRECEDING BUDGET YEAR IF THE ANNUAL AUDITED OPERATING EXPENSES FOR THE MOST RECENT PRECEDING BUDGET YEAR ARE NOT AVAILABLE, that represents the high costs incurred by the administrative unit in the preceding budget year. All grants awarded by the committee ~~shall be~~ ARE subject to approval by the state board.

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

22-32-141. Student awaiting trial as adult - educational services - definitions. (4) (d) (I) In addition to any ~~moneys~~ MONEY received pursuant to ~~paragraph (a), (b), or (c) of this subsection (4)~~ SUBSECTION (4)(a), (4)(b), OR (4)(c) OF THIS SECTION, a school district that provides educational services pursuant to this section shall receive from the department of education an amount equal to the daily rate established pursuant to section 22-54-129 for educational services provided by ~~approved facility schools~~ STATE PROGRAMS, AS DEFINED IN SECTION 22-54-129,

multiplied by the number of days, excluding Saturdays and Sundays, that the juvenile is held in a jail or facility, ~~so long as~~ IF the juvenile is receiving at least four hours of educational services per week.

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

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

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

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

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

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

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

22-35-104. Enrollment in an institution of higher education - cooperative agreement. (3) A qualified student who seeks to concurrently enroll in an institution of higher education shall establish, in consultation with the administration of ~~his or her~~ THE QUALIFIED STUDENT'S local education provider, an academic plan of study that describes all of the courses that the QUALIFIED student intends to complete to satisfy ~~his or her~~ THE QUALIFIED STUDENT'S remaining requirements for

graduation from the local education provider, OR FOR A QUALIFIED STUDENT WHO RECEIVES TRANSITION SERVICES, AN ACADEMIC PLAN OF STUDY THAT DESCRIBES ALL OF THE COURSES THAT THE QUALIFIED STUDENT INTENDS TO COMPLETE TO SATISFY THE QUALIFIED STUDENT'S REMAINING POSTSECONDARY GOALS OUTLINED IN THE QUALIFIED STUDENT'S INDIVIDUALIZED EDUCATION PROGRAM. Prior to the qualified student's concurrent enrollment in the institution of higher education, the principal, a counselor, or a teacher advisor of the qualified student's local education provider shall approve the academic plan of study. In approving an academic plan of study, a principal, counselor, or teacher advisor shall apply the guidelines established by rules promulgated by the state board pursuant to section 22-35-111 (1)(b).

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

(b) UPON A QUALIFIED STUDENT'S SUCCESSFUL COMPLETION OF A CONCURRENT ENROLLMENT COURSE, THE QUALIFIED STUDENT MUST RECEIVE CREDIT THAT APPLIES TO THE COMPLETION OF HIGH SCHOOL GRADUATION REQUIREMENTS, OR A QUALIFIED STUDENT WHO RECEIVES TRANSITION SERVICES MUST EARN CREDIT THAT IS APPLIED TO THE POSTSECONDARY GOALS IDENTIFIED IN THE QUALIFIED STUDENT'S INDIVIDUALIZED EDUCATION PLAN. UPON COMPLETION OF THE CONCURRENT ENROLLMENT COURSE, THE QUALIFIED STUDENT MUST EARN POSTSECONDARY CREDIT AS DESCRIBED IN SUBSECTION (6)(b)(II) OF THIS SECTION THAT APPLIES TOWARD COMPLETION OF DEVELOPMENTAL COURSES OR TOWARD EARNING A CERTIFICATE OR DEGREE THROUGH AN APPROVED POSTSECONDARY CAREER AND TECHNICAL EDUCATION PROGRAM, THAT IS APPROVED BY THE DEPARTMENT OF HIGHER EDUCATION FOR TRANSFER FROM A TWO-YEAR INSTITUTION TO A FOUR-YEAR INSTITUTION IN SATISFACTION OF PREREQUISITE COURSES FOR A SPECIFIC MAJOR, IS APPROVED FOR STATEWIDE TRANSFER PURSUANT TO SECTION 23-1-125, OR IS APPROVED AS PART OF A STATEWIDE DEGREE TRANSFER AGREEMENT PURSUANT TO SECTION 23-1-108 (7)(a).

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

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

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

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

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

SECTION 20. Appropriation. (1) For the 2024-25 state fiscal year, \$32,878,255 is appropriated to the department of education. This appropriation is from the state education fund created in section 17 (4)(a) of article IX of the state constitution. To implement this act, the department may use this appropriation as follows:

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

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

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

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

Approved: May 23, 2024