SB125_L.004 Amendment No. _____

SB26-125

SENATE FLOOR AMENDMENT

Second Reading BY SENATOR Kolker

Amend printed bill, page 8, line 7, strike "FREE" and substitute "FREE EDUCATION".

Page 8, line 8, after "OR" insert "TO".

Page 8, line 9, strike "GUARDIAN." and substitute "GUARDIAN, EXCEPT FOR THE FEES THAT ARE IMPOSED ON STUDENTS WITHOUT A DISABILITY OR THEIR PARENT OR GUARDIAN.".

Page 8, line 11, strike "PAYMENT BY A LOCAL".

Page 8, strike lines 12 and 13.

Page 8, line 14, strike "BY THE LOCAL EDUCATION PROVIDER." and substitute "THE LOCAL EDUCATION PROVIDER PLACING A STUDENT WITH A DISABILITY OR REFERRING THE STUDENT FOR AID, BENEFITS, OR SERVICES NOT OPERATED OR PROVIDED BY THE LOCAL EDUCATION PROVIDER AS ITS MEANS OF CARRYING OUT THE REQUIREMENTS OF THIS ARTICLE 29.5 FOR PAYMENT OF THE COSTS OF THE AID, BENEFITS, OR SERVICES.".

Page 8, line 16, after "ARTICLE 29.5." insert "NOTHING IN THIS SECTION SHALL BE CONSTRUCTED TO RELIEVE AN INSURER OR SIMILAR THIRD PARTY FROM AN OTHERWISE VALID OBLIGATION TO PROVIDE OR PAY FOR SERVICES TO A QUALIFIED STUDENT WITH A DISABILITY.".

Page 9, line 1, after "PROGRAM," insert "AS DEFINED IN SECTION 22-20-103,".

Page 9, line 3, strike "SCHOOLS." and insert "SCHOOLS, EXCEPT THAT, FOR MATTERS INVOLVING THE PROVISION OF A FREE EDUCATION TO A QUALIFIED STUDENT WITH A DISABILITY, "LOCAL EDUCATION PROVIDER" HAS THE SAME MEANING AS "ADMINISTRATIVE UNIT" AS DEFINED IN SECTION 22-20-103 (1) FOR THE PURPOSES OF THIS ARTICLE 29.5.".

Page 9, line 9 strike "701" and substitute "794".

Page 9, line 14, strike "SHALL" and substitute "SHALL, ON THE BASIS OF DISABILITY,".

Page 9, line 16, after "DISCRIMINATION" insert "UNDER ANY PROGRAM, SERVICE, OR ACTIVITY".

Page 9, strike line 17 and substitute "PROVIDER.".

Page 12, strike lines 12 through 16 and substitute:

"(a) ADOPT A GRIEVANCE PROCESS THAT INCORPORATES APPROPRIATE DUE PROCESS STANDARDS AND PROVIDES FOR THE PROMPT AND EQUITABLE RESOLUTION OF COMPLAINTS ALLEGING ANY ACTION PROHIBITED BY SECTION 504, WHICH MAY BE SATISFIED BY ADOPTING A SECTION 504 GRIEVANCE PROCESS THAT FULFILLS THE REQUIREMENTS OF 34 CFR 104.7. THE LOCAL EDUCATION PROVIDER IS NOT REQUIRED TO APPLY ITS GRIEVANCE PROCEDURE TO ALLEGATIONS RELATED TO THE IDENTIFICATION, EVALUATION, PLACEMENT, OR PROVISION OF FREE EDUCATION PURSUANT TO AN IEP.".

Page 14, line 4, after "AND" insert "AT LEAST ONE".

Page 14, line 6, after "ARTICLE 29.5." insert "IF A LOCAL EDUCATION PROVIDER HAS A BUILDING-SPECIFIC COORDINATOR RESPONSIBLE FOR COMPLIANCE WITH SECTION 504 AND THIS ARTICLE 29.5, THAT INDIVIDUAL MAY ATTEND THE TRAINING INSTEAD OF A BUILDING ADMINISTRATOR.".

Page 16, line 25, after "(1)" insert "(a)".

Page 17, after line 1 insert:

"(b) IMPLEMENTATION OF AN IEP DEVELOPED IN ACCORDANCE WITH THE IDEA IS ONE WAY OF MEETING THE INDIVIDUAL EDUCATIONAL NEEDS OF A STUDENT WITH A DISABILITY AS ADEQUATELY AS THE NEEDS OF A STUDENT WITHOUT A DISABILITY ARE MET.".

Page 22, line 12, strike "SATISFIES" and substitute "MAY SATISFY".

Page 22, strike line 16 and substitute:

"(b) A GROUP OF KNOWLEDGEABLE PEOPLE, BASED ON EXISTING EVALUATION DATA, DETERMINE THE".

Page 22, line 18, strike "NEEDS." and substitute "NEEDS, AND THE LOCAL EDUCATION PROVIDER AND PARENT AGREE.".

Page 24, line 11, after "ARTICLE 29.5." insert "THIS ARTICLE 29.5 DOES NOT CREATE NEW AUTHORITY FOR MATTERS INVOLVING THE IDENTIFICATION, EVALUATION, PLACEMENT, OR PROVISION OF A FREE EDUCATION PURSUANT TO AN IEP.".

Page 28, line 23, strike "EMPLOYEE OF A LOCAL EDUCATION PROVIDER,". Page 28, after line 23 insert "A THIRD PARTY MAY ONLY FILE A COMPLAINT ALLEGING VIOLATIONS OF THIS ARTICLE 29.5 IF THE ALLEGATIONS ARE SYSTEMIC IN NATURE OR IF THE COMPLAINT IS ON BEHALF OF AN INDIVIDUAL STUDENT THE THIRD PARTY IS REPRESENTING AS AN ATTORNEY OR ADVOCATE.".

Page 31, line 23, after "VIOLATION." insert "PRIOR TO INITIATING THE PROCESS TO WITHHOLD FUNDS, THE STATE BOARD MUST PROVIDE WRITTEN NOTICE TO THE LOCAL EDUCATION PROVIDER OF THE VIOLATIONS OF THIS ARTICLE 29.5 AND THE CORRECTIVE ACTION REQUIRED. THE LOCAL EDUCATION PROVIDER MUST BE GIVEN SIXTY DAYS TO RESPOND TO THE NOTICE. A LOCAL EDUCATION PROVIDER MAY APPEAL A STATE BOARD DECISION TO WITHHOLD STATE FUNDS TO THE OFFICE OF ADMINISTRATIVE COURTS. THE STATE BOARD HAS THE BURDEN OF PROOF, BY A PREPONDERANCE OF THE EVIDENCE, TO ESTABLISH THE BASIS OF THE DECISION BEING APPEALED.".

Amend Senate Education Committee Report dated March 11, 2026, page 1, strike lines 2 through 8 and substitute:

"(3) A LOCAL EDUCATION PROVIDER SHALL PROVIDE REASONABLE ACCOMMODATIONS TO A PARENT WITH A DISABILITY, INCLUDING A COMMUNICATION-RELATED DISABILITY, WHO IS SEEKING APPROPRIATE ACCESS TO PROGRAMS OR ACTIVITIES FOR PARENTS IN RELATION TO THAT PARENT'S CHILD. COMMUNICATION-RELATED DISABILITY ACCOMMODATIONS MUST BE CONSISTENT WITH THE STANDARDS STATED IN SECTION 22-29.5-106.

(4) A LOCAL EDUCATION PROVIDER MUST PROVIDE INTERPRETATION AND TRANSLATION SERVICES FOR COMMUNICATION WITH A PARENT WITH LIMITED ENGLISH PROFICIENCY.".

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