

HOUSE COMMITTEE OF REFERENCE AMENDMENT

Committee on Appropriations.

SB26-023 be amended as follows:

1 Amend reengrossed bill, page 4, after line 16 insert:

2 **"SECTION 4.** In Colorado Revised Statutes, 22-30.5-112, **amend**
3 (2)(a)(III)(A), (2)(a.4)(I), (2)(a.8)(I), (2)(a.8)(II), (2)(a.9), (3)(a)(II), and
4 (3)(a)(III)(A); **repeal** (2)(a)(II), (2)(a)(III)(B), (2)(a.3), (2)(a.5)(II),
5 (2)(a.5)(II.5), (2)(c)(II), (3)(a)(I), and (11)(a); and **add** (2)(c.3), (2)(c.5),
6 (2)(c.7), and (12) as follows:

7 **22-30.5-112. Charter schools - financing - guidelines -**
8 **definitions - repeal.**

9 (2) (a) (II) ~~For the 1999-2000 budget year, the charter school and~~
10 ~~the school district shall begin discussions on the contract using eighty~~
11 ~~percent of the district per pupil revenues.~~

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

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

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

1 enrolled in the charter school who is not an online pupil plus eighty-five
2 percent of the district per pupil online funding for each online pupil
3 enrolled in the charter school.

4 (a.4) (I) Within ninety days after the end of each fiscal year, each
5 school district shall provide to each charter school within its district an
6 itemized accounting of all its central administrative overhead costs. If the
7 itemized accounting includes services provided to the charter school by
8 school district personnel, the itemized accounting, at the charter school's
9 request, must include a list of the personnel positions and services
10 provided by persons in each position. The actual central administrative
11 overhead costs are the amount charged to the charter school. Any
12 difference, within the limitations of ~~subparagraph (III) of paragraph (a)~~
13 ~~of this subsection (2) and paragraph (a.3) of this subsection (2)~~
14 SUBSECTION (2)(a) OF THIS SECTION, between the amount initially charged
15 to the charter school and the actual cost must be reconciled and paid to
16 the owed party.

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

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

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

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

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

41 (a.9) ~~For the 2002-03 budget year through the 2025-26 budget~~
42 ~~year,~~ and In accordance with section 22-30.5-406, the funding provided
43 by a chartering school district to a charter school pursuant to this

1 subsection (2) is reduced by the amount of any direct payments of
2 principal and interest due on bonds issued on behalf of a charter school
3 by a governmental entity other than a school district for the purpose of
4 financing charter school capital construction that were made by the state
5 treasurer or the chartering school district on behalf of the charter school.

6 (c) (II) ~~For the 2000-01 budget year through the 2025-26 budget~~
7 ~~year, the amount of funding received by a charter school pursuant to this~~
8 ~~subsection (2) shall not be less than one hundred percent of the chartering~~
9 ~~school district's district per pupil revenues, minus up to five percent as~~
10 ~~provided in subsection (2)(a)(III) of this section multiplied by the number~~
11 ~~of pupils enrolled in the charter school or as otherwise provided in~~
12 ~~subsection (2)(a.3) of this section for any charter school chartered by a~~
13 ~~school district that enrolls five hundred or fewer students.~~

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

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

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

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

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

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

32 (c.5) (I) FOR THE 2026-27 BUDGET YEAR, A SCHOOL DISTRICT
33 SHALL DETERMINE EACH OF ITS CHARTER SCHOOLS' PHASE-IN AMOUNTS OF
34 DISTRICT TOTAL PROGRAM. EACH CHARTER SCHOOL'S PHASE-IN AMOUNT
35 OF DISTRICT TOTAL PROGRAM IS THE AMOUNT CALCULATED BY THE
36 SCHOOL DISTRICT USING THE CALCULATION DESCRIBED IN SECTION
37 22-54-103.3 (3)(b); EXCEPT THAT, WHEN MAKING THE CALCULATIONS, THE
38 SCHOOL DISTRICT SHALL:

39 (A) USE THE CHARTER SCHOOL'S PUPIL ENROLLMENT FOR THE
40 2026-27 BUDGET YEAR INSTEAD OF FUNDED PUPIL COUNT AS DETERMINED
41 PURSUANT TO SECTIONS 22-54-103.5 (4) AND 22-54-104 (7);

42 (B) USE THE CHARTER SCHOOL'S AT-RISK PUPIL ENROLLMENT FOR
43 THE 2026-27 BUDGET YEAR INSTEAD OF DISTRICT AT-RISK PUPIL

1 ENROLLMENT AND USE THE CHARTER SCHOOL'S PERCENTAGE OF AT-RISK
2 PUPILS INSTEAD OF DISTRICT PERCENTAGE OF AT-RISK PUPILS AS USED
3 PURSUANT TO SECTIONS 22-54-103.5 (6)(a) AND 22-54-104 (4); EXCEPT
4 THAT THE SCHOOL DISTRICT SHALL USE THE CHARTER SCHOOL'S AT-RISK
5 PUPIL ENROLLMENT FOR THE 2026-27 BUDGET YEAR INSTEAD OF DISTRICT
6 AT-RISK PUPIL ENROLLMENT AS USED IN THE FORMULA IN SECTION
7 22-54-103.5 (6)(b) IF: THE DISTRICT'S FUNDED PUPIL COUNT IS LESS THAN
8 SEVEN THOUSAND, THE DISTRICT PERCENTAGE OF AT-RISK PUPILS IS
9 SEVENTY PERCENT OR GREATER, AND THE CHARTER SCHOOL'S AT-RISK
10 PUPIL ENROLLMENT FOR THE 2026-27 BUDGET YEAR IS SEVENTY PERCENT
11 OR GREATER;

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

16 (D) USE THE CHARTER SCHOOL'S SPECIAL EDUCATION PUPIL
17 ENROLLMENT FOR THE 2026-27 BUDGET YEAR INSTEAD OF DISTRICT
18 SPECIAL EDUCATION PUPIL ENROLLMENT AS USED PURSUANT TO SECTION
19 22-54-103.5 (10).

20 (II) (A) IN ADDITION TO THE DISTRIBUTION DESCRIBED IN
21 SUBSECTION (2)(c.5)(III) OF THIS SECTION, A CHARTER SCHOOL IN A
22 DISTRICT DESCRIBED IN SECTION 22-54-103.5 (12)(c) MUST RECEIVE A PER
23 PUPIL AMOUNT OF THE AMOUNT DESCRIBED IN SECTION 22-54-103.5
24 (12)(c) FOR EACH STUDENT IN THE CHARTER SCHOOL'S PUPIL ENROLLMENT
25 FOR THE 2026-27 BUDGET YEAR.

26 (B) IN ADDITION TO THE DISTRIBUTION DESCRIBED IN SUBSECTION
27 (2)(c.5)(III) OF THIS SECTION, A CHARTER SCHOOL IN A DISTRICT
28 DESCRIBED IN SECTION 22-54-104 (4.9) MUST RECEIVE A PER PUPIL
29 AMOUNT OF THE AMOUNT DESCRIBED IN SECTION 22-54-104 (4.9) FOR
30 EACH STUDENT IN THE CHARTER SCHOOL'S PUPIL ENROLLMENT FOR THE
31 2026-27 BUDGET YEAR.

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

35 (A) THE AMOUNT OF DISTRICT TOTAL PROGRAM RECEIVED BY THE
36 CHARTER SCHOOL FOR THE 2025-26 BUDGET YEAR PLUS ONE PERCENT OF
37 THE AMOUNT OF DISTRICT TOTAL PROGRAM RECEIVED BY THE CHARTER
38 SCHOOL FOR THE 2025-26 BUDGET YEAR; OR

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

42 (IV) THIS SUBSECTION (2)(c.5) IS REPEALED, EFFECTIVE JULY 1,
43 2028.

1 (c.7) (I) FOR EACH BUDGET YEAR BEGINNING WITH THE 2027-28
2 BUDGET YEAR THROUGH THE 2030-31 BUDGET YEAR, A SCHOOL DISTRICT
3 SHALL DETERMINE EACH OF ITS CHARTER SCHOOLS' PHASE-IN AMOUNTS OF
4 DISTRICT TOTAL PROGRAM. EACH CHARTER SCHOOL'S PHASE-IN AMOUNT
5 OF DISTRICT TOTAL PROGRAM IS THE AMOUNT CALCULATED BY THE
6 SCHOOL DISTRICT USING THE CALCULATION DESCRIBED IN SECTION
7 22-54-103.3 (3)(c) FOR THE APPLICABLE BUDGET YEAR; EXCEPT THAT,
8 WHEN MAKING THE CALCULATIONS, THE SCHOOL DISTRICT SHALL:

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

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

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

29 (D) USE THE CHARTER SCHOOL'S SPECIAL EDUCATION PUPIL
30 ENROLLMENT FOR THE APPLICABLE BUDGET YEAR INSTEAD OF DISTRICT
31 SPECIAL EDUCATION PUPIL ENROLLMENT AS USED PURSUANT TO SECTION
32 22-54-103.5 (10).

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

42 (A) USE THE CHARTER SCHOOL'S PUPIL ENROLLMENT FOR THE
43 APPLICABLE BUDGET YEAR INSTEAD OF FUNDED PUPIL COUNT AS

1 DETERMINED PURSUANT TO SECTION 22-54-104 (7);
2 (B) USE THE CHARTER SCHOOL'S AT-RISK PUPIL ENROLLMENT FOR
3 THE APPLICABLE BUDGET YEAR INSTEAD OF DISTRICT AT-RISK PUPIL
4 ENROLLMENT AS USED PURSUANT TO 22-54-104 (4); AND
5 (C) USE THE CHARTER SCHOOL'S ENGLISH LANGUAGE LEARNER
6 PUPIL ENROLLMENT FOR THE APPLICABLE BUDGET YEAR INSTEAD OF
7 DISTRICT ENGLISH LANGUAGE LEARNER PUPIL ENROLLMENT AS USED
8 PURSUANT TO SECTION 22-54-104 (4.3).
9 (III) (A) IN ADDITION TO THE DISTRIBUTION DESCRIBED IN
10 SUBSECTION (2)(c.7)(IV) OF THIS SECTION, A CHARTER SCHOOL IN A
11 DISTRICT DESCRIBED IN SECTION 22-54-103.5 (12)(c) MUST RECEIVE A PER
12 PUPIL AMOUNT OF THE AMOUNT DESCRIBED IN SECTION 22-54-103.5
13 (12)(c) FOR EACH STUDENT IN THE CHARTER SCHOOL'S PUPIL ENROLLMENT
14 FOR THE APPLICABLE BUDGET YEAR.
15 (B) IN ADDITION TO THE DISTRIBUTIONS DESCRIBED IN SUBSECTION
16 (2)(c.7)(IV) OF THIS SECTION, A CHARTER SCHOOL IN A DISTRICT
17 DESCRIBED IN SECTION 22-54-104 (4.9) MUST RECEIVE A PER PUPIL
18 AMOUNT OF THE AMOUNT DESCRIBED IN SECTION 22-54-104 (4.9) FOR
19 EACH STUDENT IN THE CHARTER SCHOOL'S PUPIL ENROLLMENT FOR THE
20 APPLICABLE BUDGET YEAR.
21 (IV) FOR EACH BUDGET YEAR BEGINNING WITH THE 2027-28
22 BUDGET YEAR THROUGH THE 2030-31 BUDGET YEAR, A SCHOOL DISTRICT
23 SHALL DISTRIBUTE TO EACH OF ITS CHARTER SCHOOLS AN AMOUNT EQUAL
24 TO THE GREATER OF:
25 (A) THE CHARTER SCHOOL'S PHASE-IN AMOUNT OF DISTRICT TOTAL
26 PROGRAM FOR THE APPLICABLE BUDGET YEAR DETERMINED PURSUANT TO
27 SUBSECTION (2)(c.7)(I) OF THIS SECTION; OR
28 (B) THE CHARTER SCHOOL'S OLD FORMULA AMOUNT OF DISTRICT
29 TOTAL PROGRAM FOR THE APPLICABLE BUDGET YEAR DETERMINED
30 PURSUANT TO SUBSECTION (2)(c.7)(II) OF THIS SECTION, PLUS ONE
31 PERCENT OF THE CHARTER SCHOOL'S OLD FORMULA AMOUNT OF DISTRICT
32 TOTAL PROGRAM FOR THE APPLICABLE BUDGET YEAR.
33 (3) (a) (I) ~~For the 1999-2000 budget year, notwithstanding~~
34 ~~subsection (2) of this section, the proportionate share of state and federal~~
35 ~~resources generated by students with disabilities or staff serving them~~
36 ~~shall be directed to charter schools enrolling such students by their school~~
37 ~~districts or administrative units. The proportionate share of moneys~~
38 ~~generated under other federal or state categorical aid programs shall be~~
39 ~~directed to charter schools serving students eligible for such aid.~~
40 (II) ~~For the 2000-01 budget year through the 2025-26 budget year,~~
41 If the charter school and the school district have negotiated to allow the
42 charter school to provide federally required educational services pursuant
43 to subsection (2)(a.8) of this section, the proportionate share of state and

1 federal resources generated by students receiving the federally required
2 educational services or staff serving them is directed by the school district
3 or administrative unit to the charter school enrolling such THE students.

4 (III) (A) ~~For the 2000-01 budget year through the 2025-26 budget~~
5 ~~year,~~ The proportionate share of money generated under federal or state
6 categorical aid programs, other than federally required educational
7 services, is directed to charter schools serving students eligible for such
8 aid; except for district special education pupil funding calculated pursuant
9 to section 22-54-103.5 (10).

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

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

27 **SECTION 5.** In Colorado Revised Statutes, **repeal**
28 22-30.5-112.1.

29 **SECTION 6.** In Colorado Revised Statutes, **amend**
30 22-30.5-112.7 as follows:

31 **22-30.5-112.7. Charter school funding - greater than**
32 **minimum.**

33 An authorizing district or accounting district may provide funding
34 that is greater than the minimum amount determined pursuant to section
35 22-30.5-112, ~~22-30.5-112.1~~, 22-30.5-112.6, or 22-30.5-513.

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

38 **22-30.5-504. Institute chartering authority - institute charter**
39 **schools - exclusive authority - retention - recovery - revocation.**

40 (5) (a) The state board shall grant to a local board of education
41 exclusive authority to authorize charter schools within the geographic
42 boundaries of the school district if the state board determines, after
43 adequate notice and in a public hearing and after receiving input from any

1 charter schools authorized by the local board of education, that the local
2 board can show a recent pattern of providing fair and equitable treatment
3 to its charter schools through the local board's demonstration of:

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

6 (B) Compliance with ~~sections SECTION 22-30.5-112 and~~
7 ~~22-30.5-112.1~~, which ~~permit~~ PERMITS a charter school to purchase, at its
8 discretion, certain services or a combination of services;

9 **SECTION 8.** In Colorado Revised Statutes, 22-30.5-513, **amend**
10 (1)(j)(II), (2)(b), (4)(a)(I), (4)(a)(I.5) introductory portion, (5.5)(a), and
11 (10)(a); **repeal** (4)(c) and (11); and **add** (2)(f), (2)(g), (2)(h), and (12) as
12 follows:

13 **22-30.5-513. Institute charter schools - funding - at-risk**
14 **supplemental aid - legislative declaration - definitions - repeal.**

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

16 (j) "Online pupil enrollment" means:

17 (II) ~~For the 2008-09 budget year through the 2025-26 budget year,~~

18 The number of pupils, on the pupil enrollment count day within the
19 applicable budget year, enrolled in, attending, and actively participating
20 in a multi-district online school, as defined in section 22-30.7-102 (6),
21 created pursuant to article 30.7 of this ~~title~~ TITLE 22 by the institute
22 charter school.

23 (2) (b) ~~For the 2004-05 budget year through the 2025-26 budget~~
24 ~~year, each institute charter school and the institute shall negotiate funding~~
25 ~~under the charter contract at a minimum of ninety-five percent of the~~
26 ~~institute charter school's accounting district's adjusted per pupil revenues~~
27 ~~for each pupil enrolled in the institute charter school who is not an online~~
28 ~~pupil and ninety-five percent of the institute charter school's accounting~~
29 ~~district's per pupil online funding for each online pupil enrolled in the~~
30 ~~institute charter school.~~ The institute may retain three percent of the
31 accounting district's adjusted per pupil revenues for each pupil, who is not
32 an online pupil, enrolled in the institute charter school and three percent
33 of the accounting district's per pupil online funding for each online pupil
34 enrolled in the institute charter school.

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

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

40 (II) "CHARTER SCHOOL'S ENGLISH LANGUAGE LEARNER PUPILS"
41 MEANS THE NUMBER OF PUPILS ENROLLED IN THE CHARTER SCHOOL WHO
42 ARE ENGLISH LANGUAGE LEARNER PUPILS, AS DEFINED IN SECTION
43 22-54-103 (6.5).

1 (III) "CHARTER SCHOOL'S PERCENTAGE OF AT-RISK PUPILS" MEANS
2 THE NUMBER OF AT-RISK PUPILS ENROLLED IN THE CHARTER SCHOOL,
3 DIVIDED BY THE CHARTER SCHOOL'S PUPIL ENROLLMENT.
4 (IV) "CHARTER SCHOOL'S PUPIL ENROLLMENT" MEANS THE
5 NUMBER OF PUPILS ENROLLED IN THE CHARTER SCHOOL WHO ARE PART OF
6 PUPIL ENROLLMENT, AS DEFINED IN SECTION 22-54-103 (10).
7 (V) "CHARTER SCHOOL'S SPECIAL EDUCATION PUPIL ENROLLMENT"
8 MEANS THE NUMBER OF PUPILS ENROLLED IN THE CHARTER SCHOOL WHO
9 ARE SPECIAL EDUCATION PUPILS, AS DEFINED IN SECTION 22-54-103 (10.8).
10 (g) (I) FOR THE 2026-27 BUDGET YEAR, THE INSTITUTE SHALL
11 DETERMINE EACH OF ITS CHARTER SCHOOLS' PHASE-IN AMOUNTS OF TOTAL
12 PROGRAM. EACH CHARTER SCHOOL'S PHASE-IN AMOUNT OF TOTAL
13 PROGRAM IS THE AMOUNT CALCULATED BY THE INSTITUTE USING THE
14 CALCULATION DESCRIBED IN SECTION 22-54-103.3 (3)(b) FOR EACH OF ITS
15 CHARTER SCHOOLS; EXCEPT THAT, WHEN MAKING THE CALCULATIONS, THE
16 INSTITUTE SHALL:
17 (A) USE THE CHARTER SCHOOL'S PUPIL ENROLLMENT FOR THE
18 2026-27 BUDGET YEAR INSTEAD OF FUNDED PUPIL COUNT AS DETERMINED
19 PURSUANT TO SECTIONS 22-54-103.5 (4) AND 22-54-104 (7);
20 (B) USE THE CHARTER SCHOOL'S AT-RISK PUPIL ENROLLMENT FOR
21 THE 2026-27 BUDGET YEAR INSTEAD OF THE ACCOUNTING DISTRICT'S
22 AT-RISK PUPIL ENROLLMENT AND USE THE CHARTER SCHOOL'S
23 PERCENTAGE OF AT-RISK PUPILS INSTEAD OF THE ACCOUNTING DISTRICT'S
24 PERCENTAGE OF AT-RISK PUPILS AS USED PURSUANT TO SECTIONS
25 22-54-103.5 (6)(a) AND 22-54-104 (4); EXCEPT THAT THE INSTITUTE
26 SHALL USE THE CHARTER SCHOOL'S AT-RISK PUPIL ENROLLMENT FOR THE
27 2026-27 BUDGET YEAR INSTEAD OF ACCOUNTING DISTRICT'S AT-RISK PUPIL
28 ENROLLMENT AS USED IN THE FORMULA IN SECTION 22-54-103.5 (6)(b) IF:
29 THE ACCOUNTING DISTRICT'S FUNDED PUPIL COUNT IS LESS THAN SEVEN
30 THOUSAND, THE ACCOUNTING DISTRICT'S PERCENTAGE OF AT-RISK PUPILS
31 IS SEVENTY PERCENT OR GREATER, AND THE CHARTER SCHOOL'S AT-RISK
32 PUPIL ENROLLMENT FOR THE 2026-27 BUDGET YEAR IS SEVENTY PERCENT
33 OR GREATER;
34 (C) USE THE CHARTER SCHOOL'S ENGLISH LANGUAGE LEARNER
35 PUPIL ENROLLMENT FOR THE 2026-27 BUDGET YEAR INSTEAD OF THE
36 ACCOUNTING DISTRICT'S ENGLISH LANGUAGE LEARNER PUPIL
37 ENROLLMENT AS USED PURSUANT TO SECTIONS 22-54-103.5 (7) AND
38 22-54-104 (4.3); AND
39 (D) USE THE CHARTER SCHOOL'S SPECIAL EDUCATION PUPIL
40 ENROLLMENT FOR THE 2026-27 BUDGET YEAR INSTEAD OF THE
41 ACCOUNTING DISTRICT'S SPECIAL EDUCATION PUPIL ENROLLMENT AS USED
42 PURSUANT TO SECTION 22-54-103.5 (10).
43 (II) (A) IN ADDITION TO THE DISTRIBUTION DESCRIBED IN

1 SUBSECTION (2)(g)(III) OF THIS SECTION, A CHARTER SCHOOL WHOSE
2 ACCOUNTING DISTRICT IS A SCHOOL DISTRICT DESCRIBED IN SECTION
3 22-54-103.5 (12)(c) MUST RECEIVE A PER PUPIL AMOUNT OF THE AMOUNT
4 DESCRIBED IN SECTION 22-54-103.5 (12)(c) FOR EACH STUDENT IN THE
5 CHARTER SCHOOL'S PUPIL ENROLLMENT FOR THE 2026-27 BUDGET YEAR.

6 (B) IN ADDITION TO THE DISTRIBUTION DESCRIBED IN SUBSECTION
7 (2)(g)(III) OF THIS SECTION, A CHARTER SCHOOL WHOSE ACCOUNTING
8 DISTRICT IS A SCHOOL DISTRICT DESCRIBED IN SECTION 22-54-104 (4.9)
9 MUST RECEIVE A PER PUPIL AMOUNT OF THE AMOUNT DESCRIBED IN
10 SECTION 22-54-104 (4.9) FOR EACH STUDENT IN THE CHARTER SCHOOL'S
11 PUPIL ENROLLMENT FOR THE 2026-27 BUDGET YEAR.

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

15 (A) THE AMOUNT OF TOTAL PROGRAM RECEIVED BY THE CHARTER
16 SCHOOL FOR THE 2025-26 BUDGET YEAR PLUS ONE PERCENT OF THE
17 AMOUNT OF TOTAL PROGRAM RECEIVED BY THE CHARTER SCHOOL FOR THE
18 2025-26 BUDGET YEAR; OR

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

22 (IV) THIS SUBSECTION (2)(g) IS REPEALED, EFFECTIVE JULY 1,
23 2028.

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

32 (A) USE THE CHARTER SCHOOL'S PUPIL ENROLLMENT FOR THE
33 APPLICABLE BUDGET YEAR INSTEAD OF FUNDED PUPIL COUNT AS
34 DETERMINED 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 APPLICABLE BUDGET YEAR INSTEAD OF THE ACCOUNTING DISTRICT'S
37 AT-RISK PUPIL ENROLLMENT AND USE THE CHARTER SCHOOL'S
38 PERCENTAGE OF AT-RISK PUPILS INSTEAD OF THE ACCOUNTING DISTRICT'S
39 PERCENTAGE OF AT-RISK PUPILS AS USED PURSUANT TO SECTIONS
40 22-54-103.5 (6)(a) AND 22-54-104 (4); EXCEPT THAT THE INSTITUTE
41 SHALL USE THE CHARTER SCHOOL'S AT-RISK PUPIL ENROLLMENT FOR THE
42 APPLICABLE BUDGET YEAR INSTEAD OF ACCOUNTING DISTRICT'S AT-RISK
43 PUPIL ENROLLMENT AS USED IN THE FORMULA IN SECTION 22-54-103.5

1 (6)(b) IF: THE ACCOUNTING DISTRICT'S FUNDED PUPIL COUNT IS LESS THAN
2 SEVEN THOUSAND, THE ACCOUNTING DISTRICT'S PERCENTAGE OF AT-RISK
3 PUPILS IS SEVENTY PERCENT OR GREATER, AND THE CHARTER SCHOOL'S
4 AT-RISK PUPIL ENROLLMENT FOR THE APPLICABLE BUDGET YEAR IS
5 SEVENTY PERCENT OR GREATER;

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

10 (D) USE THE CHARTER SCHOOL'S SPECIAL EDUCATION PUPIL
11 ENROLLMENT FOR THE APPLICABLE BUDGET YEAR INSTEAD OF DISTRICT
12 SPECIAL EDUCATION PUPIL ENROLLMENT AS USED PURSUANT TO SECTION
13 22-54-103.5 (10).

14 (II) FOR EACH BUDGET YEAR BEGINNING WITH THE 2027-28
15 BUDGET YEAR THROUGH THE 2030-31 BUDGET YEAR, THE INSTITUTE
16 SHALL DETERMINE EACH OF ITS CHARTER SCHOOLS' OLD FORMULA
17 AMOUNTS OF TOTAL PROGRAM. EACH CHARTER SCHOOL'S OLD FORMULA
18 AMOUNT OF TOTAL PROGRAM IS THE AMOUNT CALCULATED BY THE
19 INSTITUTE USING THE CALCULATION DESCRIBED IN SECTION 22-54-104 FOR
20 THE APPLICABLE BUDGET YEAR FOR EACH OF ITS CHARTER SCHOOLS;
21 EXCEPT THAT, WHEN MAKING THE CALCULATIONS, THE INSTITUTE SHALL:

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

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

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

32 (III) (A) IN ADDITION TO THE DISTRIBUTION DESCRIBED IN
33 SUBSECTION (2)(h)(IV) OF THIS SECTION, A CHARTER SCHOOL WHOSE
34 ACCOUNTING DISTRICT IS A SCHOOL DISTRICT DESCRIBED IN SECTION
35 22-54-103.5 (12)(c) MUST RECEIVE A PER PUPIL AMOUNT OF THE AMOUNT
36 DESCRIBED IN SECTION 22-54-103.5 (12)(c) FOR EACH STUDENT IN THE
37 CHARTER SCHOOL'S PUPIL ENROLLMENT FOR THE APPLICABLE BUDGET
38 YEAR.

39 (B) IN ADDITION TO THE DISTRIBUTION DESCRIBED IN SUBSECTIONS
40 (2)(h)(IV) OF THIS SECTION, A CHARTER SCHOOL WHOSE ACCOUNTING
41 DISTRICT IS DESCRIBED IN SECTION 22-54-104 (4.9) MUST RECEIVE A PER
42 PUPIL AMOUNT OF THE AMOUNT DESCRIBED IN SECTION 22-54-104 (4.9)
43 FOR EACH STUDENT IN THE CHARTER SCHOOL'S PUPIL ENROLLMENT FOR

1 THE APPLICABLE BUDGET YEAR.

2 (IV) FOR EACH BUDGET YEAR BEGINNING WITH THE 2027-28
3 BUDGET YEAR THROUGH THE 2030-31 BUDGET YEAR, THE INSTITUTE
4 SHALL DISTRIBUTE TO EACH OF ITS CHARTER SCHOOLS, AN AMOUNT EQUAL
5 TO THE GREATER OF:

6 (A) THE CHARTER SCHOOL'S PHASE-IN AMOUNT OF TOTAL
7 PROGRAM FOR THE APPLICABLE BUDGET YEAR DETERMINED PURSUANT TO
8 SUBSECTION (2)(h)(I) OF THIS SECTION; OR

9 (B) THE CHARTER SCHOOL'S OLD FORMULA AMOUNT OF TOTAL
10 PROGRAM FOR THE APPLICABLE BUDGET YEAR, DETERMINED PURSUANT TO
11 SUBSECTION (2)(h)(II) OF THIS SECTION, PLUS ONE PERCENT OF THE
12 CHARTER SCHOOL'S OLD FORMULA AMOUNT OF TOTAL PROGRAM FOR THE
13 APPLICABLE BUDGET YEAR.

14 (4) (a) (I) ~~For each budget year through the 2025-26 budget year,~~
15 each institute charter school, the department shall withhold from the state
16 equalization payments of the institute charter school's accounting district
17 an amount equal to one hundred percent of the accounting district's
18 adjusted per pupil revenues multiplied by the number of pupils enrolled
19 in the institute charter school who are not online pupils plus an amount
20 equal to one hundred percent of the accounting district's per pupil online
21 funding multiplied by the number of online pupils enrolled in the institute
22 charter school. The department shall forward to the institute the amount
23 withheld minus an amount not to exceed one percent of the amount
24 withheld that the department may retain as reimbursement for the
25 reasonable and necessary costs to the department to implement the
26 provisions of this part 5.

27 (I.5) ~~For each budget year through the 2025-26 budget year,~~ The
28 institute shall forward to each institute charter school an amount equal to
29 the institute charter school's pupil enrollment multiplied by the accounting
30 district's adjusted per pupil revenues of the institute charter school's
31 accounting district, minus:

32 (c) ~~For budget years 2004-05 through 2010-11, the amount of~~
33 ~~funding specified in paragraph (a) of this subsection (4) shall reflect the~~
34 ~~one-percent increase in the statewide base per pupil funding for state~~
35 ~~fiscal years 2001-02 through 2010-11 received by school districts as~~
36 ~~required by section 17 of article IX of the state constitution.~~

37 (5.5) (a) Notwithstanding any provision of this section to the
38 contrary, if a district charter school converts to an institute charter school
39 pursuant to section 22-30.5-510, the converted school's ~~per pupil revenues~~
40 ~~or adjusted per pupil revenues, whichever is applicable, and at-risk~~
41 ~~supplemental aid continue to be calculated pursuant to section~~
42 ~~22-30.5-112, or 22-30.5-112.1 whichever is applicable, and section~~
43 ~~22-30.5-112.2,~~ TOTAL PROGRAM FUNDING as the funding applied to the

1 converted school before the conversion; except that this subsection (5.5)
2 does not apply if the converted school was authorized by a small rural
3 school district, as described in section 22-54-108 (3)(b)(IV), before the
4 conversion.

5 (10) (a) On or before ~~December 1, 2009, and on or before~~
6 December 1 each year, ~~thereafter~~, a representative from the governing
7 board of each institute charter school and the institute board shall meet to
8 review the level of funding received by the institute as a result of the
9 money withheld by the institute for the amount of actual costs incurred by
10 the institute in providing necessary administration, oversight, and
11 management services to the institute charter schools. The institute charter
12 school representatives and the institute board shall, at a minimum, review,
13 for each budget year, ~~beginning with the 2004-05 budget year through the~~
14 ~~2025-26 budget year~~, the amount of money annually appropriated to the
15 institute, the amount of costs incurred by the institute, and the services
16 provided by the institute.

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

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

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

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

34 **22-33-203. Educational alternatives for expelled students.**

35 (2) (d) If an expelled student is receiving educational services
36 delivered by a school district other than the expelling school district, by
37 a charter school in a school district other than the expelling school
38 district, by a board of cooperative services, or by a nonpublic school,
39 pursuant to an agreement entered into pursuant to subsection (2)(c)(I) of
40 this section, the expelling school district shall transfer ninety-five percent
41 of the district per-pupil revenues ~~as defined in section 22-30.5-112~~
42 ~~(2)(a.5)(H)~~ to the school district, charter school, nonpublic school, or
43 board of cooperative services that is providing educational services,

1 reduced in proportion to the amount of time remaining in the school year
2 at the time the student begins receiving educational services.

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

5 **22-43.7-110.3. Department - charter school facilities assistance**
6 **account - distribution - definitions.**

7 (2) (b) (I) Each school district that provides funding pursuant to
8 section 22-30.5-112 ~~or 22-30.5-112.1~~ to at least one qualified charter
9 school in a fiscal year shall, for that fiscal year, receive an amount equal
10 to the percentage of the total certified charter school pupil enrollment for
11 all qualified charter schools statewide for the applicable fiscal year that
12 is attributable to the district's certified charter school pupil enrollment,
13 multiplied by the amount credited to the charter school facilities
14 assistance account for the applicable fiscal year.

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

17 **24-33.5-2706. Trauma-informed practices for school safety**
18 **drills - work group - creation - purpose - membership - notice to**
19 **revisor of statutes - definitions - repeal.**

20 (5) (a) (II) The work group consists of the following voting
21 members:

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

27 Renumber succeeding sections accordingly.

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