

CHAPTER 181

**EDUCATION - PUBLIC SCHOOLS**

**HOUSE BILL 93-1118**

BY REPRESENTATIVES Faatz, Agler, Anderson, Berry, Foster, Jerke, May, Pankey, and Pfiffner;  
also SENATORS Wham, Ament, and Bishop.

**AN ACT**

**CONCERNING AUTHORIZATION OF SCHOOL DISTRICTS TO CONTRACT FOR THE PROVISION OF  
EDUCATIONAL SERVICES.**

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

**SECTION 1.** 22-32-122, Colorado Revised Statutes, 1988 Repl. Vol., is amended to read:

**22-32-122. Contract services, equipment, and supplies.** (1) Any school district has the power to contract with another district or with the governing body of a state college or university, with the tribal corporation of any Indian tribe or nation, with any federal agency or officer or any county, city, or city and county, or with any natural person, body corporate, or association for the performance of any service, INCLUDING EDUCATIONAL SERVICE, activity, or undertaking which any school may be authorized by law to perform or undertake. Such contract shall set forth fully the purposes, powers, rights, obligations, and responsibilities, financial or otherwise, of the parties so contracting and shall provide that the service, INCLUDING EDUCATIONAL SERVICE, activity, or undertaking be of comparable quality and meet the same requirements and standards as would be necessary if performed by the school district. ~~but nothing in this subsection (1) shall apply to adult education programs or programs for the mentally retarded and for the seriously handicapped.~~ A contract executed pursuant to this section may include, among other things, the purchase (outright or by installment sale) or renting or leasing, with or without an option to purchase, of necessary building facilities, equipment, supplies, and employee services. Any state or federal financial assistance which shall accrue to a contracting school district, if said district were to perform such service, INCLUDING EDUCATIONAL SERVICE, activity, or undertaking individually, shall, if the state board finds the service,

*Capital letters indicate new material added to existing statutes; dashes through words indicate deletions from existing statutes and such material not part of act.*

INCLUDING EDUCATIONAL SERVICE, activity, or undertaking is of comparable quality and meets the same requirements and standards as would be necessary if performed by a school district, be apportioned by the state board of education on the basis of the contractual obligations and paid separately to each contracting school district in the manner prescribed by law. ~~such finding of comparable quality and of meeting the same requirements and standards shall not be required in the case of adult education programs or programs for the mentally retarded and for the seriously handicapped.~~

(2) Nothing in this section shall be construed in a manner to authorize a school district to expend proceeds from the sale of general obligation or revenue bonds issued by said school district to procure or erect a school or other building beyond the territorial limits of the district except in accordance with the provisions of section 22-32-109 (1) (v).

**SECTION 2. Safety clause.** The general assembly hereby finds, determines, and declares that this act is necessary for the immediate preservation of the public peace, health, and safety.

Approved: April 30, 1993