

CHAPTER 247

EDUCATION - PUBLIC SCHOOLS

HOUSE BILL 25-1167

BY REPRESENTATIVE(S) Valdez and Martinez, Bacon, Bird, Boesenecker, Froelich, Jackson, Lindsay, Phillips, Stewart K., Woodrow;
also SENATOR(S) Kipp, Carson, Cutter, Hinrichsen, Jodeh, Marchman, Michaelson Jenet, Wallace, Winter F.

AN ACT

CONCERNING ALTERNATIVE EDUCATION CAMPUSES, 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) Alternative education campuses (AECs) play a critical role in Colorado's education system by serving students who face extraordinary challenges;

(b) Despite serving some of Colorado's most impacted students, AECs frequently operate with insufficient funding and resources. Consequently, many AECs often struggle to meet the critical needs of the students they are dedicated to serving and are reliant on additional funding through gifts, grants, and donations.

(c) By prioritizing existing education grant programs, AECs will be able to access more of the resources that they need to best address the unique circumstances and challenges of the students they enroll;

(d) AECs often also see great variability in their enrollment throughout the school year due to the transient nature and urgent needs of many AEC students. As a result, the current funding system, which relies on a single enrollment count date, does not accurately reflect the fluctuating enrollment of AECs throughout the year.

(e) To assess the impact of an alternative funding system, such as a dual enrollment count, the department of education should annually monitor and report on AEC enrollment trends, student demographics, and student mobility; and

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.

(f) Despite the mission of helping students who are often marginalized, current statute caps the age of parents and expectant pregnant moms who can be served at AECs at twenty years of age. The eligibility age for these students at AECs should be expanded to include individuals up to twenty-one years of age.

SECTION 2. In Colorado Revised Statutes, 22-7-604.5, **amend** (1.5)(j); and **add** (1.2), (4), (5), and (6) as follows:

22-7-604.5. Alternative education campuses - criteria - application - rule-making - report - definition. (1.2) NOTWITHSTANDING THE REQUIREMENT IN SUBSECTION (1)(a)(VI)(B) OF THIS SECTION, AN ALTERNATIVE EDUCATION CAMPUS THAT HAS A PUPIL ENROLLMENT OF LESS THAN TWO HUNDRED FIFTY STUDENTS SHALL NOT LOSE ITS DESIGNATION IF THE CAMPUS MET THE NINETY PERCENT THRESHOLD DURING THE SCHOOL YEAR, DID NOT FALL BELOW THE NINETY PERCENT THRESHOLD BY MORE THAN THREE STUDENTS DURING THE SUBSEQUENT YEAR, AND AGAIN MET THE NINETY PERCENT THRESHOLD THE FOLLOWING YEAR.

(1.5) As used in this section, unless the context otherwise requires, a "high-risk student" means a student enrolled in a public school who:

(j) Is a parent or pregnant woman ~~under the age of twenty~~ WHO IS TWENTY-ONE years OF AGE OR YOUNGER;

(4) IN THE ADMINISTRATION OF A GRANT EXISTING PURSUANT TO THIS TITLE 22, THE DEPARTMENT OF EDUCATION SHALL ALLOCATE PRIORITY POINTS TO AN ALTERNATIVE EDUCATION CAMPUS IF THE ALTERNATIVE EDUCATION CAMPUS IS ELIGIBLE AND SATISFIES THE GRANT'S REQUIREMENTS.

(5) NOTWITHSTANDING ANY OTHER PROVISION OF LAW, AN ALTERNATIVE EDUCATION CAMPUS MAY INCLUDE IN ITS PUPIL ENROLLMENT A HIGH-RISK STUDENT, AS DEFINED IN THIS SECTION, WHO IS TWENTY-ONE YEARS OF AGE OR YOUNGER ON THE PUPIL ENROLLMENT COUNT DAY IF THE HIGH-RISK STUDENT HAS SUFFICIENT CREDITS SO THAT THE STUDENT WILL BE ELIGIBLE FOR A DIPLOMA BY THE END OF THE SAME SCHOOL YEAR.

(6) BEGINNING IN SEPTEMBER 2025, AND EACH SEPTEMBER THEREAFTER, THE DEPARTMENT OF EDUCATION SHALL PREPARE AND POST AN ANNUAL REPORT ON ENROLLMENT TRENDS, STUDENT DEMOGRAPHICS, AND STUDENT MOBILITY IN ALTERNATIVE EDUCATION CAMPUSES. THE REPORT MUST INCLUDE, BUT NEED NOT BE LIMITED TO:

(a) YEAR-ROUND ENROLLMENT TRENDS, INCLUDING FLUCTUATIONS BEYOND THE OFFICIAL OCTOBER COUNT DATE;

(b) A DEMOGRAPHIC BREAKDOWN OF ALTERNATIVE EDUCATION CAMPUS STUDENTS, INCLUDING FACTORS SUCH AS AGE, RACE AND ETHNICITY, MULTILINGUAL LEARNERS, AND SPECIAL EDUCATION STATUS; AND

(c) DATA ON STUDENT MOBILITY, INCLUDING TRANSFERS INTO AND OUT OF ALTERNATIVE EDUCATION CAMPUSES THROUGHOUT THE SCHOOL YEAR.

SECTION 3. Appropriation. For the 2025-26 state fiscal year, \$9,613 is appropriated to the department of education for use by school quality and support. This appropriation is from the general fund and is based on an assumption that the division will require an additional 0.1 FTE. To implement this act, the division may use this appropriation for accountability and improvement planning.

SECTION 4. Act subject to petition - effective date. This act takes effect at 12:01 a.m. on the day following the expiration of the ninety-day period after final adjournment of the general assembly; except that, if a referendum petition is filed pursuant to section 1 (3) of article V of the state constitution against this act or an item, section, or part of this act within such period, then the act, item, section, or part will not take effect unless approved by the people at the general election to be held in November 2026 and, in such case, will take effect on the date of the official declaration of the vote thereon by the governor.

Approved: May 24, 2025