

SCHOOL CHOICE MATTERS

# Colorado Policy Report

# Introduction

## PURPOSE

A combination of well-designed policies give all students access to the broadest range of educational opportunities, including key core policies and helpful policy enhancers. The purpose of this document is to provide insight to how well your state is doing at implementing the Ecosystem of School Choice Policies. This state report summarizes evidence across the seven policy buckets, with each policy component detailed in individual cells.

## CORE POLICIES

Key policies expand student opportunities.



[Open Enrollment](#)



[Charter Schools](#)



[Private School Choice](#)



[Homeschooling](#)

## POLICY ENHANCERS

Supporting policies enhance those opportunities.



[Part-time Enrollment/Course Access](#)



[Learn Everywhere](#)



[Transportation](#)

CORE POLICIES



## Open Enrollment in Colorado

POLICY	RATING	POLICY OVERVIEW
<p>Transfers Between Districts</p>	<p><b>YES</b></p> <p>Mandatory policy requiring districts to accept all students where capacity exists</p>	<p>Colorado statute provides that every school district must allow nonresident students from other school districts within the state who apply, pursuant to procedures established in law, to enroll in programs or schools within the school district without requiring the nonresident students to pay tuition.</p> <p>Every school district is required under the law to adopt policies and procedures as are “reasonable and necessary” to implement these requirements, including a timeline for application to and acceptance in any program or school that may provide for enrollment of the student.</p> <p>School districts are not required to enroll any student in any program or school after the pupil enrollment count day.</p> <p>School districts may deny students from other school districts from enrolling if there is a lack of space or teaching staff within a particular program or school requested – priority is given to resident students applying for admission to the program or school.</p> <p><a href="#">(Colorado Revised Statutes</a> - see C.R.S. 22-36-101 Choice of programs and schools within school districts)</p> <ul style="list-style-type: none"> <li>• Colorado Statute 22-36-101 is silent regarding State Board of Education rulemaking.</li> </ul>
<p>Transfers Within Districts</p>	<p><b>YES</b></p> <p>Mandatory policy allowing students to transfer schools</p>	<p>Colorado statute provides that every school district must allow resident students who apply, pursuant to procedures established in law, to enroll in particular programs or schools within the school district.</p> <p>Every school district is required under the law to adopt policies and procedures as are “reasonable and necessary” to implement these requirements, including a timeline for application to and acceptance in any program or school that may provide for enrollment of the student.</p>

		<p>(<a href="#">Colorado Revised Statutes</a> - see C.R.S. 22-36-101 Choice of programs and schools within school districts)</p> <ul style="list-style-type: none"> <li>Colorado Statute 22-36-101 is silent regarding State Board of Education rulemaking.</li> </ul>
Year-round Transfer Window	<p><b>LIMITED</b></p> <p>Restricted transfer window</p>	<p>Colorado statute provides that school districts must adopt policies and procedures to implement the provisions of the law, including timelines for application to and acceptance in any program or school that may provide for enrollment of the student on or before the pupil enrollment count day.</p> <p>School districts are not required to enroll any student in any program or school after the pupil enrollment count day, in October.</p> <p>(<a href="#">Colorado Revised Statutes</a> - see C.R.S. 22-36-101 Choice of programs and schools within school districts)</p> <ul style="list-style-type: none"> <li>Colorado Statute 22-36-101 is silent regarding State Board of Education rulemaking.</li> </ul>
Tuition-Free Public Schools	<p><b>YES</b></p> <p>Prohibition on parent tuition</p>	<p>Colorado statute provides that where school districts permit students whose parents or guardians are residents of the state, but not a resident of the district, the school district must not require the parent, guardian, or student to pay tuition to attend school in the district, regardless of when during the school year, or under what circumstances, the student enrolls in or attends school in the district.</p> <p>(<a href="#">Colorado Revised Statutes</a> - see C.R.S. 22-36-101 Choice of programs and schools within school districts)</p> <ul style="list-style-type: none"> <li>Colorado Statute 22-36-101 is silent regarding State Board of Education rulemaking.</li> </ul>
School Capacity Transparency	<p><b>NO</b></p> <p>No transparency policy</p>	<p>Colorado does not appear to have a policy requiring districts to publicly report capacity by school and grade level.</p>
Transfer Data Transparency	<p><b>NO</b></p> <p>No transparency in data reporting</p>	<p>Colorado does not appear to require the state to collect and publicly report district-level open enrollment data, including numbers of applications accepted and rejected.</p> <p>Colorado statute does provide that the Department must make information available to the public about the enrollment options that are available throughout the public school system in Colorado.</p> <p>(<a href="#">Colorado Revised Statutes</a> - see C.R.S. 22-36-106 Department - distribution of information)</p> <ul style="list-style-type: none"> <li>Colorado Statute 22-36-106 is silent on State Board rulemaking.</li> </ul>

<b>Transparent Appeal Process</b>	<b>NO</b>	Colorado does not appear to have a process for parents to appeal a district's denial of transfer.
<b>SOURCE CITATIONS</b>		
<b>Statutes</b>  <a href="#">Colorado Revised Statutes</a> <ul style="list-style-type: none"><li>• See C.R.S. 22-36-101 Choice of programs and schools within school districts</li><li>• See C.R.S. 22-36-106 Department - distribution of information</li></ul>	<b>State Department of Education</b>  <a href="#">CDE, Enrollment</a>	



## Charter Schools in Colorado

POLICY	RATING	POLICY OVERVIEW
<p>Multiple Charter Authorizers</p>	<p><b>LIMITED</b></p> <p>No real authorizer options</p>	<p>Colorado statute specifies that all applications must be submitted to, and approved by, the local board of education.</p> <p>If the local board of education does not review a charter application, it is considered denied.</p> <p>The school district must determine if the application contains the minimum components identified in the law and is therefore complete, within 15 days after receipt. If the application is not complete, the school district must give the charter applicant the opportunity to provide the necessary information.</p> <p>The district accountability committee must review the complete charter school application at least 15 days before the local board of education decides on the application.</p> <p><a href="#">(Colorado Revised Statutes - see C.R.S. 22-30.5-107 Charter application - process)</a></p> <ul style="list-style-type: none"> <li>The Colorado Charter School Laws requires the State Board to promulgate rules relating to charter schools.</li> </ul> <p>Administrative Rules provide that authorizers are either the school district board of education, in the case of district charter schools or independent charter schools, or the board of the state charter school institute, in the case of the state institute charter schools.</p> <p><a href="#">(1 CCR 301-88 Standards for Charter Schools and Charter School Authorizers)</a></p>
<p>Charter Appeal Process</p>	<p><b>YES</b></p> <p>Independent appeals process</p>	<p>Colorado statute provides that if the local board of education denies the charter school application or does not review the application or imposes conditions that are unacceptable to the charter applicant, the charter applicant may appeal the decision to the State Board of Education.</p> <p><a href="#">(Colorado Revised Statutes - see C.R.S. 22-30.5-107 Charter application - process)</a></p> <p>Colorado statute specifies the procedure for appealing a denial to the State Board. The applicant who wishes to appeal the decision must submit a notice of appeal within 30 days after the local board’s decision. The statute</p>

		<p>provides for the timeline following the notice of appeal. The statute also provides that in lieu of a first appeal, the parties may also agree to facilitation.</p> <p><a href="#">(Colorado Revised Statutes - see C.R.S. 22-30.5-108 Appeal - standard of review - procedures)</a></p> <ul style="list-style-type: none"> <li>• The Colorado Charter School Laws requires the State Board to promulgate rules relating to charter schools.</li> </ul> <p>Administrative Rules provide for standards for Charter Schools that must be considered by the State Board as guiding principles when considering an appeal from a Charter School.</p> <p><a href="#">(1 CCR 301-88 Standards for Charter Schools and Charter School Authorizers)</a></p>
<p><b>Charter Regulatory Flexibility</b></p>	<p><b>LIMITED</b></p> <p>Some or no exemptions</p>	<p>The Charter Schools Act requires the state board to promulgate rules that list the automatic waivers for all charter schools. Statute prohibits certain statutes from being waived through automatic waivers by charter schools, including statutes relating to:</p> <ul style="list-style-type: none"> <li>• Performance evaluation system for licensed personnel;</li> <li>• Procedures for competitive bidding in the purchase of goods and services, except professional services;</li> <li>• Annual school calendar and teacher-pupil contact hours;</li> <li>• Power to accept and expend gifts, donations, or grants; and</li> <li>• The employment of licensed personnel.</li> <li>• School districts, on behalf of charter schools, may also apply to the State Board for a waiver of state statute or rule that is not an automatic waiver. Statute also prohibits waivers relating to:             <ul style="list-style-type: none"> <li>• School accountability committees;</li> <li>• Assessments required to be administered;</li> <li>• School performance reports;</li> <li>• The “Public School Finance Act of 1994”;</li> <li>• The “Children’s Internet Protection Act”;</li> <li>• The requirement to post on the internet the statutes for which waivers are granted;</li> <li>• Any provisions relating to notification to parents of alleged criminal conduct by charter school employees;</li> <li>• Suspension and expulsion of students in preschool through 2<sup>nd</sup> grade;</li> <li>• Statutes relating to discrimination based on hair texture, hair type, or a protective hairstyle that is commonly or historically associated with race.</li> </ul> </li> </ul>

		<p>(<a href="#">Colorado Revised Statutes</a> - see C.R.S. 22-30.5-104 Charter school - requirements - authority - rules - definitions)</p> <ul style="list-style-type: none"> <li>The Colorado Charter School Laws requires the State Board to promulgate rules relating to charter schools.</li> </ul> <p>Administrative Rules do not address waivers.</p> <p>The Colorado Department of Education’s list of automatic waivers permits waivers from the Teacher Employment Act – Certificate required to pay teachers, procedures for dismissal of teachers, and teachers subject to adopted salary schedule, as well as an automatic waiver for local board powers to employ teachers’ aides and other non-certified personnel.</p> <p>(<a href="#">CDE, Waivers &amp; Policy Guidance</a>)</p>
<p><b>Equitable Charter Funding</b></p>	<p><b>YES</b></p> <p>Students are funded as in a traditional district school</p>	<p><b>Financing of Schools</b></p> <p>The legislative declaration in the Public School Financing Act provides that all school districts and institute charter schools must operate under the same finance formula. Further equity considerations dictate that all districts and institute charter schools be subject to the expenditure and maximum levy provisions of the law. The provisions concerning the financing of public schools must apply to all school districts and institute charter schools organized under the laws of the state.</p> <p>Note that district is defined to mean any public school district organized under the laws of Colorado.</p> <p>Charter schools are included within public school districts</p> <p>(<a href="#">Colorado Revised Statutes</a> - see C.R.S. 22-54-102 Legislative declaration - statewide applicability - intergovernmental agreements)</p> <ul style="list-style-type: none"> <li>Colorado Statute 22-30.5-102 is silent regarding State Board of Education rulemaking.</li> </ul>
<p><b>Charter Facilities Funding</b></p>	<p><b>LIMITED</b></p> <p>Some or no facilities funding</p>	<p><b>Capital Construction Costs</b></p> <p>Colorado statute provides that the total amount of state education fund money to be appropriated for all eligible districts and all eligible institute charter schools for the 2019-20 budget year and each budget year after, is \$20 million multiplied by the quotient of the number of students included in the statewide funded pupil count who were enrolled in charter schools for the school year immediately preceding the budget year and the number of students included in the statewide funded pupil count who were enrolled in charter schools for the 2017-18 school year.</p>

		<p>For the 2004-05 budget year, and each budget year after that, the amount of state education fund moneys to be distributed to any eligible district and any eligible institute charter school shall be an amount equal to the percentage of the sum of the district’s certified charter school pupil enrollment and the institute charter school’s certified pupil enrollment for all eligible districts and eligible institute charter schools in the state that is attributable to the eligible district or institute charter school multiplied by the total amount of state education fund moneys distributed to all eligible districts and eligible institute charter schools for the same budget year pursuant to law.</p> <p><a href="#">(Colorado Revised Statutes</a> - see C.R.S. 22-54-124 State aid for charter schools - use of state education fund money - definitions)</p> <ul style="list-style-type: none"> <li>• Colorado Statute 22-30.5-120 requires the State Board to make reasonable rules and regulations necessary to the administration and enforcement of the Public School Finance Act of 1994.</li> </ul> <p>Administrative Rules are silent regarding facilities funding for charter schools.</p>
<p>Options for High-Performing Charters</p>	<p><b>LIMITED</b></p> <p>No opportunities for high-performing charter schools</p>	<p>No law addressing high-performing charters.</p>
<p>Charter Zoning Exemptions</p>	<p><b>LIMITED</b></p> <p>Less than full protections</p>	<p>No law addressing zoning/ordinance exemptions.</p>

SOURCE CITATIONS

**Statutes**

[Colorado Revised Statutes](#)

- See C.R.S. 22-30.5-101, et al., Charter Schools Act
- See C.R.S. Title 22, Art. 54 Public School Finance Act of 1994

**Administrative Code**

[1 CCR 301-39 Rules for the Administration of the Public School Finance Act of 1994](#)

[1 CCR 301-88 Standards for Charter Schools and Charter School Authorizers](#)

[1 CCR 301-91 Rules Concerning Charter Schools Applying for Federal and State Grants and Programs](#)

**State Department of Education**

[CDE, Charter Schools: Charter School Capital Construction Program](#)

[CDE, Colorado Charter Schools FAQs](#)

[CDE, Colorado Charter Schools](#)

[CDE, Waivers & Policy Guidance](#)



## Private School Choice in Colorado

POLICY	OVERALL RATING	PROGRAM OVERVIEW
Universal Eligibility	<p><b>NO</b></p> <p>No choice program</p>	<p>Colorado does not have a private school choice program.</p>
Comparable Student Funding	<p><b>NO</b></p> <p>No choice program</p>	
Uncapped Student Access	<p><b>NO</b></p> <p>No choice program</p>	
Extended Application Window	<p><b>NO</b></p> <p>No choice program</p>	
Student Testing Options	<p><b>NO</b></p> <p>No choice program</p>	
School Autonomy	<p><b>NO</b></p> <p>No choice program</p>	

Accessible School Participation	<b>NO</b> No choice program	
<b>ESAs and Parent-Directed Spending</b>		
Freedom to Customize	<b>NO</b> No ESA or microgrant program	Colorado does not have an education scholarship account or microgrant program.
Freedom to Access	<b>NO</b> No ESA or microgrant program	
Carry-Over Funding	<b>NO</b> No ESA or microgrant program	
<b>Tax Credits</b>		
Full Tax Credit	<b>NO</b> No choice program	Colorado does not have an education tax credit program.



## Homeschooling in Colorado

POLICY	RATING	POLICY OVERVIEW
<p>Homeschool without Prior Approval</p>	<p><b>YES</b></p> <p>No permission required</p>	<p>Colorado statute specifies that it is a primary right and obligation of the parent to choose the proper education and training for children under his care and supervision. State statute recognizes that home-based education is a legitimate alternative to classroom attendance for the instruction of children and any regulation of nonpublic home-based educational programs should be “sufficiently flexible to accommodate a variety of circumstances.”</p> <p>While the statute requires notice of home-based schooling, permission from local school boards or administrative bodies to practice home-based schooling is not required.</p> <p>(<a href="#">Colorado Revised Statutes</a> - see C.R.S. 22-33-104.5 Home-based education - legislative declaration - definitions - guidelines)</p> <ul style="list-style-type: none"> <li>• Colorado statute 22-33-104.5 is silent regarding State Board of Education rulemaking.</li> </ul>
<p>No Extra Homeschool Notifications</p>	<p><b>NO</b></p> <p>Annual notification</p>	<p>Colorado statute provides that parents must provide the school district with written notification of the establishment of the program within 14 days of the establishment and each year after that, if the program is maintained.</p> <p>The written notice must include a statement containing the student’s name, age, place of residence, and number of hours of attendance of each child enrolled in the program.</p> <p>A parent is <u>not</u> required to:</p> <ul style="list-style-type: none"> <li>• Provide written notification until the child is 6 years old;</li> <li>• Establish the program until the child is 7 years of age;</li> <li>• Continue the program or provide the notification after the child is 16 years of age.</li> </ul> <p>(<a href="#">Colorado Revised Statutes</a> - see C.R.S. 22-33-104.5 Home-based education - legislative declaration - definitions - guidelines)</p> <ul style="list-style-type: none"> <li>• Colorado statute 22-33-104.5 is silent regarding State Board of Education rulemaking.</li> </ul>

<p><b>No Certification to Homeschool</b></p>	<p><b>YES</b></p> <p>No certification requirement</p>	<p>Colorado statute specifies that parents or adult relatives designated by a parent to provide instruction in a nonpublic home-based educational program are not required to meet the requirements of the “Colorado Educator Licensing Act of 1991”, nor are they subject to the provisions relating to teacher employment.</p> <p>(<a href="#">Colorado Revised Statutes</a> - see C.R.S. 22-33-104.5 Home-based education - legislative declaration - definitions - guidelines)</p> <ul style="list-style-type: none"> <li>• Colorado statute 22-33-104.5 is silent regarding State Board of Education rulemaking.</li> </ul>
<p><b>Flexible Assessment Options</b></p>	<p><b>NO</b></p> <p>Standardized testing required</p>	<p>In grades 3, 5, 7, 9, and 11, students in nonpublic home-based educational programs must be given a nationally standardized achievement test to evaluate the child’s academic progress, or a qualified person must evaluate the child’s academic progress.</p> <p>The test or evaluation results must be submitted to the resident school district. The following actions must be taken, depending on the scores of the test:</p> <ul style="list-style-type: none"> <li>• If the test results submitted to the district of a nonpublic home-based educational program showed a composite score above the thirteenth percentile, the child will continue to be exempt from the compulsory school attendance requirement.</li> <li>• If the child’s score is below the thirteenth percentile, followed by similar scores on a retest using an alternate version of the same test or a differently nationally standardized achievement test selected by the parent from a list of approved tests supplied by the state board, the school will require the parents to place the child in a public or independent or parochial school until the next testing period.</li> </ul> <p>(<a href="#">Colorado Revised Statutes</a> - see C.R.S. 22-33-104.5 Home-based education - legislative declaration - definitions - guidelines)</p> <ul style="list-style-type: none"> <li>• Colorado statute 22-33-104.5 is silent regarding State Board of Education rulemaking.</li> </ul>

SOURCE CITATIONS

**Statutes**

[Colorado Revised Statutes](#)

- See C.R.S. 22-33-104.5 Home-based education - legislative declaration - definitions - guidelines

**State Department of Education**

[CDE, Home School in Colorado](#)

POLICY ENHANCERS



## Part-time Enrollment in Colorado

POLICY	RATING	POLICY OVERVIEW
<p><b>Resident Course Access</b></p>	<p><b>LIMITED</b></p> <p>By type of student, type of course, or district policy</p>	<p><b>General Choice of Programs and Schools</b>                      Colorado statute provides that every school district must allow resident students who apply through established procedures to enroll in particular programs or schools within the school district.</p> <p>(<a href="#">Colorado Revised Statutes</a> - see C.R.S. 22-36-101 Choice of programs and schools within school districts)</p> <ul style="list-style-type: none"> <li>• Colorado statute 22-36-101 is silent regarding State Board of Education rulemaking.</li> </ul> <p><b>Home-Based Schooling</b>                      Colorado statute does contemplate home-based education students attending a public school for a portion of the school day and allows the school district of the public school to count the child in accordance with laws relating to pupil enrollment under the Public School Finance Act of 1994.</p> <p>(<a href="#">Colorado Revised Statutes</a> - see C.R.S. 22-33-104.5 Home-based education - legislative declaration - definitions - guidelines)</p> <ul style="list-style-type: none"> <li>• Colorado statute 22-33-104.5 is silent on State Board of Education rulemaking.</li> </ul>
<p><b>Nonresident Course Access</b></p>	<p><b>YES</b></p> <p>Students can enroll across district lines</p>	<p>Colorado statute specifies that school districts must allow nonresident pupils from other school districts within the state, who apply following certain enumerated procedures, to enroll in particular programs or schools within the district without requiring the nonresident students to pay tuition.</p> <p>Colorado allows school districts to deny enrollment to students from outside the district if the student has been expelled or is being expelled.</p>

		<p>(<a href="#">Colorado Revised Statutes</a> - see C.R.S. 22-36-101 Choice of programs and schools within school districts)</p> <ul style="list-style-type: none"> <li>Colorado statute 22-36-101 is silent regarding State Board of Education rulemaking.</li> </ul>
<p><b>Virtual Course Access</b></p>	<p><b>YES</b></p> <p>The state has one or more fully accessible virtual providers</p>	<p>Colorado statute authorizes school districts and the state charter school institute to create or oversee single-district online programs or single-district online schools. Further, school districts, groups of two or more school districts, board of cooperative services, and the state charter school institute are authorized to oversee multi-district online schools.</p> <p>(<a href="#">Colorado Revised Statutes</a> - see C.R.S. 22-30.7-105 Program criteria - guidelines - quality standards - records - rules)</p> <ul style="list-style-type: none"> <li>Colorado statute 22-30.7-105 requires the State Board to adopt rules establishing quality standards for online programs and online schools.</li> </ul> <p>Administrative Rules does not address offering individual courses to students regardless of schooling types.</p> <p>(<a href="#">1 CCR 301-71 Rules for the Administration, Certification and Oversight of Colorado Online Programs</a>)</p> <p>The Colorado Department of Education maintains lists of multi-district online and single district online schools and programs. Some of these programs offer opportunities for part-time enrollment.</p> <p>(<a href="#">CDE, Multi-District and Single District Online Schools &amp; Programs List</a>)</p>
<p><b>Extracurricular Access</b></p>	<p><b>YES</b></p> <p>Public schools must make extra/co-curricular activities available to all students that reside in their district</p>	<p><b>General Requirement</b></p> <p>Colorado statute specifies that each school district and each public school must allow any student enrolled in a school or participating in a nonpublic home-based educational program to participate on an equal basis in any activity offered by the school district or the public school that is not offered at the student’s school of attendance or through the student’s nonpublic home-based educational program.</p> <p>Note that “school” here is defined to include any public school and nonpublic school.</p> <p>(<a href="#">Colorado Revised Statutes</a> - see C.R.S. 22-32-116.5 Extracurricular and interscholastic activities - definitions)</p> <ul style="list-style-type: none"> <li>Colorado statute 22-32-116.5 is silent regarding State Board of Education rulemaking.</li> </ul> <p><b>Home-Based Schooling</b></p> <p>Colorado statute specifies that children participating in a nonpublic home-based education program has the same rights as students enrolled in a public school of the school district in which the child resides or is enrolled.</p>

Further, these students may participate on an equal basis in any extracurricular or interscholastic activity offered by a public school or offered by a private school. Further, a school district, public school, or interscholastic organization or association may not require a student participating in a nonpublic home-based educational program and who chooses to participate in an extracurricular activity at a public school selected by the district to enroll in a course or to complete any course credits as an eligibility requirement, except in limited circumstances.

([Colorado Revised Statutes](#) - see C.R.S. 22-33-104.5 Home-based education - legislative declaration - definitions - guidelines)

- Colorado statute 22-33-104.5 is silent regarding State Board of Education rulemaking.

**Online Programs**

Statute provides that students participating in online programs or online schools, other than students participating in these schools or programs after having been expelled from a public school, may participate on an equal basis in any extracurricular or interscholastic activity offered by a public school or offered by a private school, at the private school’s discretion.

([Colorado Revised Statutes](#) - see C.R.S. 22-30.7-108 Extracurricular and interscholastic activities)

- Colorado statute 22-30.7-108 is silent regarding State Board of Education rulemaking.

**SOURCE CITATIONS**

**Statutes**

[Colorado Revised Statutes](#)

- See C.R.S. 22-30.7-101, et al., Online Education Programs
- See C.R.S. 22-32-116.5 Extracurricular and interscholastic activities - definitions
- See C.R.S. 22-33-104.5 Home-based education - legislative declaration - definitions – guidelines
- See C.R.S. 22-36-101 Choice of programs and schools within school districts

**Administrative Code**

[1 CCR 301-71 Rules for the Administration, Certification and Oversight of Colorado Online Programs](#)

**State Department of Education**

[CDE, Online and Blended Learning](#)

[CDE, Multi-District and Single District Online Schools & Programs List](#)

[CDE, Enrollment](#)



## Learn Everywhere in Colorado

POLICY	RATING	POLICY OVERVIEW
Provider Qualification Standard	<p><b>NO</b></p> <p>No program</p>	<p>Colorado has not established a Learn Everywhere program.</p>
Course Credit Standard	<p><b>NO</b></p> <p>No program</p>	
Core Course Opportunities	<p><b>NO</b></p> <p>No program</p>	
Central State List	<p><b>NO</b></p> <p>No program</p>	



## Transportation in Colorado

POLICY	RATING	POLICY OVERVIEW
<p>Open Enrollment Transit</p>	<p><b>NO</b></p>	<p>Colorado statute provides that boards of education of school districts may provide transportation to and from public schools for any reasonable classification of students enrolled in the schools of the district who are residents of any other school district, if the district of residence is adjacent to the district of attendance, and if the board or other governing body of the district of residence consents to such transportation.</p> <p>(<a href="#">Colorado Revised Statutes</a> - see C.R.S. 22-32-113 Transportation of pupils - when)</p> <ul style="list-style-type: none"> <li>• Colorado Statute 22-32-113 is silent on State Board of Education rulemaking.</li> </ul> <p>Colorado also provides for tokens for low-income students in grades 1-8 in low-performing schools to attend a different school within their school district or a school within another school district, if the other school district agrees to accept such students.</p> <p>(<a href="#">Colorado Revised Statutes</a> - see C.R.S. 22-1-122 Transportation token program - legislative declaration - eligibility - fund)</p> <ul style="list-style-type: none"> <li>• Colorado statute 22-1-122 requires the State Board to adopt rules governing this program.</li> </ul> <p>Unable to locate information on Administrative Rules governing the token program.</p> <p>Colorado statute 22-51-108 requires the State Board to promulgate rules for the administration of the law relating to public school transportation funding. The rules must include reasonable and adequate standards of safety in the maintenance and operation of buses, the maintenance of records, and other rules pertaining to student transportation that will promote the welfare of the students and afford reasonable protection to the public.</p> <p>(<a href="#">Colorado Revised Statutes</a> - see C.R.S. 22-51-108 Rules)</p> <p>Administrative Rules do not address transportation services for open enrollment students.</p>

<p><b>Fair Transportation Access</b></p>	<p><b>LIMITED</b></p> <p>Equitable transportation offered to some charter OR private students</p>	<p><b>Charter School Students</b></p> <p>Colorado statute provides that the board of education of a school district may furnish transportation to and from public schools of the district for any reasonable classification of resident students enrolled in the schools of the district.</p> <p>Statute also provides that boards of education of school districts that offer transportation may impose and collect fees for the payment of excess transportation costs. If a school district that imposes a fee chooses to impose it on students enrolled in charter schools of the district, it must consult with charter school parents before imposing it. If the district chooses to include charter school students in the transportation fee, the school district must ensure that the full amount of the transportation fee collected from students enrolled in charter schools is used to offset the costs of providing transportation services for charter school students.</p> <p>(<a href="#">Colorado Revised Statutes</a> - see C.R.S. 22-32-113 Transportation of pupils - when)</p> <ul style="list-style-type: none"> <li>• Colorado Statute 22-32-113 is silent on State Board of Education rulemaking.</li> </ul>
<p><b>Vehicle Flexibility</b></p>	<p><b>YES</b></p>	<p>While Colorado rules are flexible on vehicle options, the rules do discourage school districts, charter schools, and service providers from using buses or transportation vehicles that are over 15, 20, and 25 years of age, depending on type of vehicle.</p> <p>The rules define “school transportation vehicle” to mean every motor vehicle which is owned by a school district, charter school, or service provider and operated, rented or leased for the transportation of students to and from school, from school to school, or to school related events or which is privately owned and operated for compensation provided that such transportation service is sponsored and approved by the local board of education or school’s governing board and operating within the State of Colorado.</p> <p>The rules provide that the use of small-capacity vehicles must meet certain requirements, including bearing the name of the school district, charter school, or service provider plainly visible on each side of the vehicle.</p> <p>(<a href="#">1 CCR 301-25 Colorado Minimum Standards Governing School Transportation Vehicles</a>)</p> <p>Colorado has also released guidance on the use of smaller vehicles for student transportation, and makes clear that a new 15-passenger van may be sold to a school for student transportation, so long as the van is certified as meeting the school bus requirements.</p> <p>(<a href="#">Use of non conforming vans for school transportation</a>)</p>

SOURCE CITATIONS

**Statutes**

[Colorado Revised Statutes](#)

- See C.R.S. 22-32-113 Transportation of pupils - when
- See C.R.S. 22-1-122 Transportation token program - legislative declaration - eligibility - fund

**Administrative Code**

[1 CCR 301-14 Rules for the Administration of the Public School Transportation Fund](#)

[1 CCR 301-25 Colorado Minimum Standards Governing School Transportation Vehicles](#)

**State Department of Education**

[CDE, School Transportation](#)

[Use of non conforming vans for school transportation](#)

