

**First Regular Session  
Seventy-fourth General Assembly  
STATE OF COLORADO**

**PREAMENDED**

*This Unofficial Version Includes Committee  
Amendments Not Yet Adopted on Second Reading*

LLS NO. 23-0399.01 Shelby Ross x4510

**HOUSE BILL 23-1188**

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**HOUSE SPONSORSHIP**

**Soper,**

**SENATE SPONSORSHIP**

**Rich,**

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**House Committees**

Education  
Appropriations

**Senate Committees**

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**A BILL FOR AN ACT**

101      **CONCERNING AUTHORIZING A PUBLIC SCHOOL TO OFFER**  
102      **INDIVIDUALIZED LEARNING.**

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**Bill Summary**

*(Note: This summary applies to this bill as introduced and does not reflect any amendments that may be subsequently adopted. If this bill passes third reading in the house of introduction, a bill summary that applies to the reengrossed version of this bill will be available at <http://leg.colorado.gov>.)*

The bill authorizes a public school or a charter school that is permitted by its charter authorizer to offer an individualized learning program or become an individualized learning school.

Individualized learning includes a course of instruction or grade-level course work that is:

- Provided, in whole or in part, independently from a regular

Shading denotes HOUSE amendment. Double underlining denotes SENATE amendment.  
Capital letters or bold & italic numbers indicate new material to be added to existing law.  
Dashes through the words or numbers indicate deletions from existing law.

- classroom setting or schedule;
- Supervised, monitored, assessed, evaluated, and documented by a teacher employed by an individualized learning school or a public school that offers an individualized learning program; and
- Documented in the student's written learning plan.

The bill requires each charter school application to identify whether the proposed charter school will offer an individualized learning program or become an individualized learning school.

The bill authorizes an existing charter school to request to amend the charter contract to allow the charter school to offer an individualized learning program or propose to become an individualized learning school either in connection with the charter-renewal process or pursuant to an agreement with the charter authorizer that the charter school will submit a written plan for becoming an individualized learning school.

The bill requires an individualized learning school to operate as part of, or within reasonable proximity to, a public school that serves students enrolled in the individualized learning program.

The bill requires an individualized learning school or an individualized learning program to be open for enrollment to any student whose residence is within reasonable distance of the school or program that will permit the student to attend the school in person on a daily basis, if needed.

The bill requires each student enrolled in an individualized learning school or individualized learning program to have a written learning plan that is designed to meet the student's individual educational needs.

The bill requires direct personal contact between a teacher and each student to take place at least once per school week.

The bill requires a teacher to evaluate the educational progress of each student enrolled in an individualized learning school or individualized learning program at least once a month during the student's enrollment. If the teacher determines the student failed to make satisfactory progress or failed to follow the student's written learning plan, the bill requires the teacher to develop an intervention plan for the student. If the student continues to make less-than-satisfactory progress after 3 consecutive months despite an intervention plan, the bill requires the teacher to develop and implement an amended written learning plan that includes a course of study designed to meet the student's needs more appropriately.

The bill requires individualized learning to be overseen by a chief academic officer who is appointed by the individualized learning school or public school that offers an individualized learning program.

For the 2023-24 and 2024-25 state fiscal years, the bill requires an individualized learning entity to receive public school funding if a student

is enrolled in an individualized learning entity that was operating on or before the effective date of this act; was enrolled in a public school the preceding academic school year; was not enrolled in a private school or participating in a nonpublic home-based education program the preceding school year; or is enrolling for the first time as a kindergarten or first-grade student or has recently moved to Colorado and is enrolling for the first time as a Colorado resident in any grade level. Beginning with the 2025-26 state fiscal year, the bill requires an individualized learning school to receive public school funding in the manner and to the degree that applies to any student enrolled in a public school.

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

2           **SECTION 1.** In Colorado Revised Statutes, 22-54-119, **add** (5)  
3 as follows:

4           **22-54-119. General provisions - repeal.** (5) (a) A STUDENT  
5 ENROLLED IN A SUBSTANTIALLY PUBLICLY SUPERVISED INDEPENDENT  
6 STUDY AT A CHARTER SCHOOL THAT OFFERED AN INDEPENDENT STUDY  
7 FOR KINDERGARTEN THROUGH EIGHTH GRADE THROUGH A CHARTER  
8 CONTRACT APPROVED BY ITS AUTHORIZER AS OF JUNE 1, 2020, IN  
9 RELIANCE ON THEN-CURRENT GUIDANCE FROM THE DEPARTMENT OF  
10 EDUCATION IS ELIGIBLE FOR FUNDING PURSUANT TO THIS ARTICLE 54 AS  
11 DESCRIBED IN THE CHARTER CONTRACT AND GUIDANCE FOR AS LONG AS  
12 THE CHARTER SCHOOL REMAINS AUTHORIZED BY ITS CHARTER CONTRACT  
13 TO OFFER THE INDEPENDENT STUDY.

14           (b) THIS SUBSECTION (5) IS REPEALED, EFFECTIVE JULY 1, 2024.

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