



COLORADO

Department of Education

MEMO

TO: State Board of Education

FROM: Sheldon Rosenkrance, Chief District Operations Officer
Jennifer Okes, District Operations Special Advisor and
Corey Evans, School Finance Executive Director

RE: Rulemaking Hearing for 1 CCR 301-39 Rules for Administration of the Public School Finance Act

DATE: August 20, 2025

Below, please find information for a Rulemaking Hearing on proposed revisions to 1 CCR 301-39, Rules for Administration of the Public School Finance Act.

This process was initiated by the board's approval of the Notice of Rulemaking at the May 2025 meeting. An informational overview was then provided at the June meeting. Following the August hearing, the board is scheduled to vote on the proposed rules at the September 2025 meeting.

Since the June meeting, CDE staff have drafted new rule language related to two key legislative changes:

- **House Bill 25-1320:** Requires updates to rules regarding **Census block data collection**.
- **House Bill 24-1448:** Adds **District Special Education Funding** as a new factor in the school finance formula, effective beginning with the **2025–26 school year**.

Additionally, CDE is recommending **withdrawing the proposed rule change to remove rule 6.02(4)** to align the timeline for eligibility for students attending schools participating in the Community Eligibility Provision (CEP) with students at non-CEP schools. Given recent federal changes to the Supplemental Nutrition Assistance Program (SNAP) and Medicaid, it is expected that eligibility in these programs may be significantly reduced. Students removed from eligibility for these programs can still qualify for Free and Reduced-Priced Lunch (FRL) through the FRL Application. That said, the application process presents an additional step which may not be taken. As such, FRL eligibility and in turn At-Risk eligibility, may be impacted by the federal changes. Therefore, it does not appear appropriate to remove the historical carry-over provision for students enrolled in schools participating in CEP at this time.

Finally, CDE is **recommending an additional technical rule clarification**, consistent with historical guidance. This clarification confirms that proof of residency is not needed for students that attend in person at a program or contracted service provider at a location in Colorado.

In BoardDocs, you will find:

- A **redlined version** of the proposed rule amendments, highlighting the changes.
- A **PowerPoint presentation** summarizing the proposed updates and providing additional context.
- A **clean version** of the proposed rule.
- A **comment/response document** based on feedback from stakeholders (if applicable).

If you have any questions, please contact Jennifer Okes at Okes_J@cde.state.co.us.

