



# House Bill 24-1063 Abbreviated School Day

CDE Model Policy

[link](#)





# Introduction

# HB 24-1063 Introduction: “The Why” Part A

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- [House Bill 24-1063](#) requires the Colorado Department of Education (CDE) to develop a model policy to clarify “*when and how abbreviated school day schedules may be implemented*” in compliance with the requirements of Individuals with Disabilities Education Act (IDEA), Section 504 of the Rehabilitation Act of 1973, and the Exceptional Children’s Educational Act (ECEA).
- [CDE’s Model Abbreviated School Day Policy](#) is linked here and can be found on the [Special Education Director’s Corner webpage](#).

# HB 24-1063 Introduction: “The Why” Part B

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- By July 1, 2025
  - Administrative Units (AU's) are **REQUIRED** by state statute to adopt and implement the CDE's model policy or adopt a policy that substantially conforms to the Department's model policy and meets the minimum requirements described in Section 8.01(1)(j) of the ECEA rules, 1 CCR 301-8.
- For IDEA-eligible children, compliance with the Department's policy for abbreviated school days and abbreviated school day schedules will be subject to ongoing monitoring consistent with the Department's responsibility for general supervision under IDEA and Section 7.05 of the ECEA rules, 1 CCR 301-8





## Section 1: Definitions

# HB 24-1063 Definitions Part A

- Abbreviated School Day for a Child with a Disability.
  - **Any school day** during which a child with a disability receives instruction or educational services for **fewer hours** than the **majority** of students who are in the same grade and school as the child with the disability.
  - Both planned or unplanned



# HB 24-1063 Definitions Part B

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- Abbreviated School Day Schedule
  - A schedule designed and approved by the IEP or 504 team that plans for a child with a disability to regularly receive instruction or educational services for fewer hours than the majority of other students who are in the same grade and school as the child with a disability.



# HB 24-1063 Definitions Part C

- Child with a Disability
  - For purposes of ECEA Rule 2.01, 2.01(1), and this required policy, a child with a disability means a child who has been **determined eligible** for services under the IDEA or Section 504, or for whom a **request or referral for evaluation** has been made under either law.







## Section 2: Application of Abbreviated School Day to Discipline a Child with a Disability

# HB 24-1063: Discipline of a Child with a Disability Part A

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- **Unilateral** decisions by a school to shorten a child's school day to address behavior concerns **must** count as a **disciplinary removal** even if the child was not formally suspended.
- This includes, but is not limited to,
  - A parent being contacted to pick up a child early due to behavior,
  - When a teacher does not allow a child to attend class due to a behavior,
  - When a school official unilaterally determines that the child must attend an abbreviated school day due to behavior.
- This applies even if the parent agreed or consented to pick the child up early.
- This does not apply if the parent requested to pick the child up early.

# HB 24-1063 Discipline for a Child with a Disability Part B

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- Partial removals must be accurately recorded and tracked to ensure the disciplinary protections that a child with a disability is entitled to, such as manifestation determination review, should the combined removals constitute a disciplinary change of placement under Section 504 or IDEA. Each removal must be submitted as a record in the CDE's [discipline data collection](#).

# HB 24-1063 Discipline for a Child with a Disability Part C

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- This provision does not mean that a school is prohibited from disciplining a child with a disability for conduct that violates the student code of conduct, as long as it does so consistent with the protections afforded to children with disabilities under IDEA and Section 504.



## Section 3: Application of Abbreviated School Day for a Child with a Disability for Attendance



# HB 24-1063 Attendance Part A

- A child with a disability in high school who voluntarily enrolls in a reduced class load or as a part-time student, consistent with other non-disabled students in the school, and who is on track to graduate, *is not considered* to be on an abbreviated school day schedule



# HB 24-1063 Attendance Part B

- When a child is appropriately placed on an abbreviated school day schedule by an IEP or 504 team, they may not be considered truant or chronically absent based solely on the abbreviated schedule.
- Compulsory school attendance requirements pursuant to Section 22-33-104, C.R.S. **do not** apply to students placed on abbreviated school day schedules by their IEP or 504 teams in accordance with the CDE's model policy and state and federal law.



# HB 24-1063 Attendance Part C

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- A child with a disability should have the **same opportunity** to participate as their same-aged nondisabled peers.
  - Field trips, school functions, extracurricular activities, etc.
- An abbreviated school day determined by the IEP or 504 Team should not determine a child ineligible to participate in other activities solely on the abbreviated schedule.
- The child may require supplementary aids and services to meaningfully participate in the above activities, and these should be determined by the IEP or 504 Team and described in the appropriate plan.



## Section 4: Permissible and Impermissible Circumstances for Placing a Child with a Disability on an Abbreviated School Day Schedule



# HB 24-1063 Permissible and Impermissible Circumstances Part A

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- It is **permissible** to place a child with a disability on an abbreviated school day **only** when the child's IEP or 504 Team has determined that such a schedule is necessary to provide a free appropriate public education (FAPE) in the least restrictive environment (LRE).
- Based on the child's **unique individualized needs**.
- Placement on an abbreviated schedule must be consistent with Sections 5, 6, 7, and 8 of the CDE model policy.



# HB 24-1063 Permissible and Impermissible Circumstances Part B

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- Placement on an abbreviated schedule to address behavioral challenges should not be considered **unless** and **until** the school has first made reasonable efforts to maintain the child's full school day placement.
- For an IDEA-eligible child, the team must consider the use of positive behavioral interventions and supports, and other strategies, to address the behavior if the behavior impedes their learning or the learning of others.
- While a school must make reasonable efforts to maintain the full day schedule, but the IEP/504 team is not required to wait until the child fails in a full day placement before offering an abbreviated schedule if it is otherwise appropriate based on the child's individualized needs and consistent with IDEA/Section 504.

# HB 24-1063 Permissible and Impermissible Circumstances Part C

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- It **may be permissible** for a student who has met graduation requirements and no longer needs core academic instruction to be placed on an abbreviated school day schedule to receive services to address unmet postsecondary transition needs (some students in 18-21 transition programs).
- Based on the student's unique circumstances

# HB 24-1063 Permissible and Impermissible Circumstances Part D

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- It is **not permissible** to place a child with a disability on an abbreviated school day based on the following:
  - Administrative convenience
  - Lack of resources
  - Availability of licensed or appropriately trained staff
  - Retention of staff
  - Alternative placement waiting lists
  - Accessible facilities
  - Availability of related services (e.g., nursing and transportation services)

# HB 24-1063 Permissible and Impermissible Circumstances Part E

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- If a **parent requests** an abbreviated school day schedule, the IEP/504 Teams must determine **whether FAPE in the LRE** can be provided with an abbreviated school day schedule.
- This includes a parent's request for an abbreviated school day to receive services at home during the school day (i.e., ABA therapy, etc.)
- The AU is **legally obligated** to offer and provide FAPE in the LRE. It should not agree to a parental request for an abbreviated schedule that is not consistent with its obligation under IDEA/504.
- The IEP team must document its refusal to place the child on an abbreviated school day with a prior written notice, consistent with 34 C.F.R. § 300.503.



## Section 5: The Role of the IEP or 504 Team in Determining an Abbreviated School Day Schedule



# HB 24-1063 The Role of IEP or 504 Team Part A

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- The IEP or 504 Team must determine whether an abbreviated school day schedule is appropriate based on the child's **unique disability-related needs**, consistent with IDEA and Section 504.
- For an IDEA-eligible child, initial placement on an abbreviated school day schedule may not be determined through the IEP amendment process described in 34 C.F.R. § 300.324(a)(4).
- **Prior** to any meeting to discuss an abbreviated school day schedule, the parent must be provided with a copy of the **Procedural Safeguards Notice**.

# HB 24-1063 The Role of IEP or 504 Team Part B

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- In making the decision, the IEP team **must consider and document** in the IEP or 504 plan,
  - how FAPE will be achieved, and
  - whether the abbreviated school day will impact the ability to educate the child in their LRE.
- FAPE and LRE must be determined consistent with the requirements of IDEA or Section 504.

# HB 24-1063 The Role of IEP or 504 Team Part C

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- At a minimum, the team must determine and describe the following components of an abbreviated school day schedule in the IEP or 504 plan (continued next slide).
  - How the schedule is **designed to support** the return to a full day schedule, including a description of the **stages for gradual reintroduction** to return to a full day schedule.
  - How the schedule will **ensure progress** towards the IEP or learning goals and progress in the general education curriculum.
  - **Number of hours of instruction and related services** to be provided while placed on an abbreviated schedule and the **percentage** of the school year that child will be on an abbreviated school day schedule.

# HB 24-1063 The Role of IEP or 504 Team Part C...continued

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- At a minimum, the team must determine and describe the following components of an abbreviated school day schedule in the IEP or 504 plan (continued from previous slide).
  - How **progress** towards IEP goals, including any short-term objectives or benchmarks, will be **measured**.
  - The **date** by which the child is expected to return to a full day schedule, as appropriate based on the child's unique needs.
  - The **date** by which the team will meet to review the abbreviated schedule, which must be **no longer than 30 days** from placement on the abbreviated schedule or the last review meeting, unless the AU and parent agree to a different schedule at the initial meeting.

# HB 24-1063 The Role of IEP or 504 Team Part D

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- The IEP or 504 Team must determine when the abbreviated schedule will be reviewed and document the review schedule in the IEP or 504 plan.
  - Must review the school day schedule within at least **30 calendar days** of placement, unless the AU and parent agree to a different schedule at the initial meeting.
  - Must determine the frequency of any subsequent review meetings and document the schedule in the IEP or 504 plan.
  - A review schedule of more than 30 calendar days must be agreed upon by the parent, legal guardian, or custodian of the child.
  - Regardless of the agreement, the abbreviated school day schedule must be reviewed annually.



# HB 24-1063 The Role of IEP or 504 Team Part E

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- For an IDEA-eligible child, the AU must provide prior written notice (PWN) following the meeting, consistent with 34 C.F.R. § 300.503.
- The PWN must also include the following components related to the proposal/refusal to place a child on an abbreviated school day schedule.
  - Supports, services, and alternatives that have been provided or considered prior to placing the student on an abbreviated schedule; and
  - Outcomes for placing the child on an abbreviated school day schedule, including the justification for the abbreviated school day schedule.
  - Note: If the AU embeds the PWN in the IEP, rather than using a stand-alone PWN, the IEP must contain the information above.



## Section 6: Requirements for Regular Review of an Abbreviated School Day Schedule for a Child with a Disability

# HB 24-1063 Requirements for Regular Review Part A

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- Consistent with Section 5(d) of the CDE's model policy, the IEP or 504 Team must review the schedule on a regular basis, consistent with the child's IEP or 504 plan, to determine whether the schedule is necessary.

# HB 24-1063 Requirements for Regular Review Part B

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- During the review meeting, the IEP or 504 Team must discuss;
  - The child's progress towards the IEP goals.
  - The stages described by the team for gradual reintroduction, as appropriate, given the child's unique needs and circumstances.
- Based on the specific data, the team must determine the need to continue with an abbreviated school day schedule.
- If the child is not making the expected progress towards the outcomes, goals, and stages for reintroduction, the team must consider adjusting the supports and services provided to ensure progress.



**Section 7: Requirements for Consent and Information Provided to Parents of a Child with a Disability Placed on Abbreviated School Day Schedule**



# HB 24-1063 Requirements for Consent and Information Provided

## Part A

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- There are times when a lawfully convened IEP or 504 team meets and determines that an abbreviated school day schedule is necessary to ensure FAPE for the student.
- When an offer of FAPE is made that includes an abbreviated school day schedule, and the parent disagrees that the abbreviated school day schedule is necessary for FAPE, the parent can pursue existing remedies under state and federal law.
  - For an IDEA-eligible child, the parent can request mediation, file a state complaint, or file a due process complaint.
  - For a child on a 504 plan, the parent can file a complaint with the Office of Civil Rights.

# HB 24-1063 Requirements for Consent and Information Provided

## Part B

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- The following expectations must be applied when any abbreviated school days or abbreviated school day schedules are not connected to the offer of FAPE determined by the IEP or 504 Team (and are not lawful and proper disciplinary removals).
  - The school must obtain informed and written consent from the child's parent prior to implementing the abbreviated school day or abbreviated school day schedule.
  - A parent may revoke this consent in writing at any time.

# HB 24-1063 Requirements for Consent and Information Provided

## Part C

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- The school must obtain informed and written consent from the parent prior to implementation of an abbreviated school day schedule for a child with a disability that is not connected to an offer of FAPE.

# HB 24-1063 Requirements for Consent and Information Provided

## Part D

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- Written consent for an abbreviated school day schedule that is not connected to an offer of FAPE must contain the following information: (continued on next slide)
  - The child's right to access the same number of hours of instruction and educational services as other children who are in the same grade within the school.
  - A statement that the school may not unilaterally place a child with disabilities on an abbreviated school day schedule.
  - A statement explaining student rights related to discipline and informal removals for conduct or behavior as described in section 2 of this policy.
  - A statement that consent for placement on an abbreviated school day schedule was not requested before parents had a meaningful opportunity to participate in an IEP or 504 meeting to determine the need for an abbreviated school day.
  - A statement that parents have the right to revoke consent or oppose the abbreviated school day schedule in writing at any time.

# HB 24-1063 Requirements for Consent and Information Provided

## Part D... continued

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Details about the abbreviated school day schedule must include:

- Supports, services, and alternatives that have been provided prior to placing the child on an abbreviated schedule.
- How the schedule is designed to support the return to a full day schedule, including a description of the stages for gradual reintroduction.
- How the schedule will ensure progress towards IEP goals and progress in the general education curriculum.
- Number of hours of instruction and related services to be provided while placed on an abbreviated schedule
- How progress towards IEP goals, including any short-term objectives, will be measured.
- The date and frequency of meetings to review progress on the schedule.
- The date by which the child is expected to return to a full-day schedule



# HB 24-1063 Requirements for Consent and Information Provided

## Part E

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- The request for consent must be provided in a language and format that is accessible to the parent, legal guardian, or custodian, including their native language or mode of communication if appropriate.



## Section 8: Requirements for Documentation and Record Keeping for Abbreviated School Day Schedule

# HB 24-1063 Requirements for Documentation and Record Keeping Part A

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- Documentation for each child with a disability who is placed on an abbreviated school day must include (continued next slide).
  - Child's daily school schedule
  - Whether the parent consented to the assigned abbreviated school day schedule if the abbreviated school day is not connected to the offer of FAPE
  - The AU's justification for the schedule
  - A description of how the delivery of FAPE will be achieved if the child has an IEP or 504 plan
  - A description of whether the schedule will impact the ability to educate the child in their LRE.

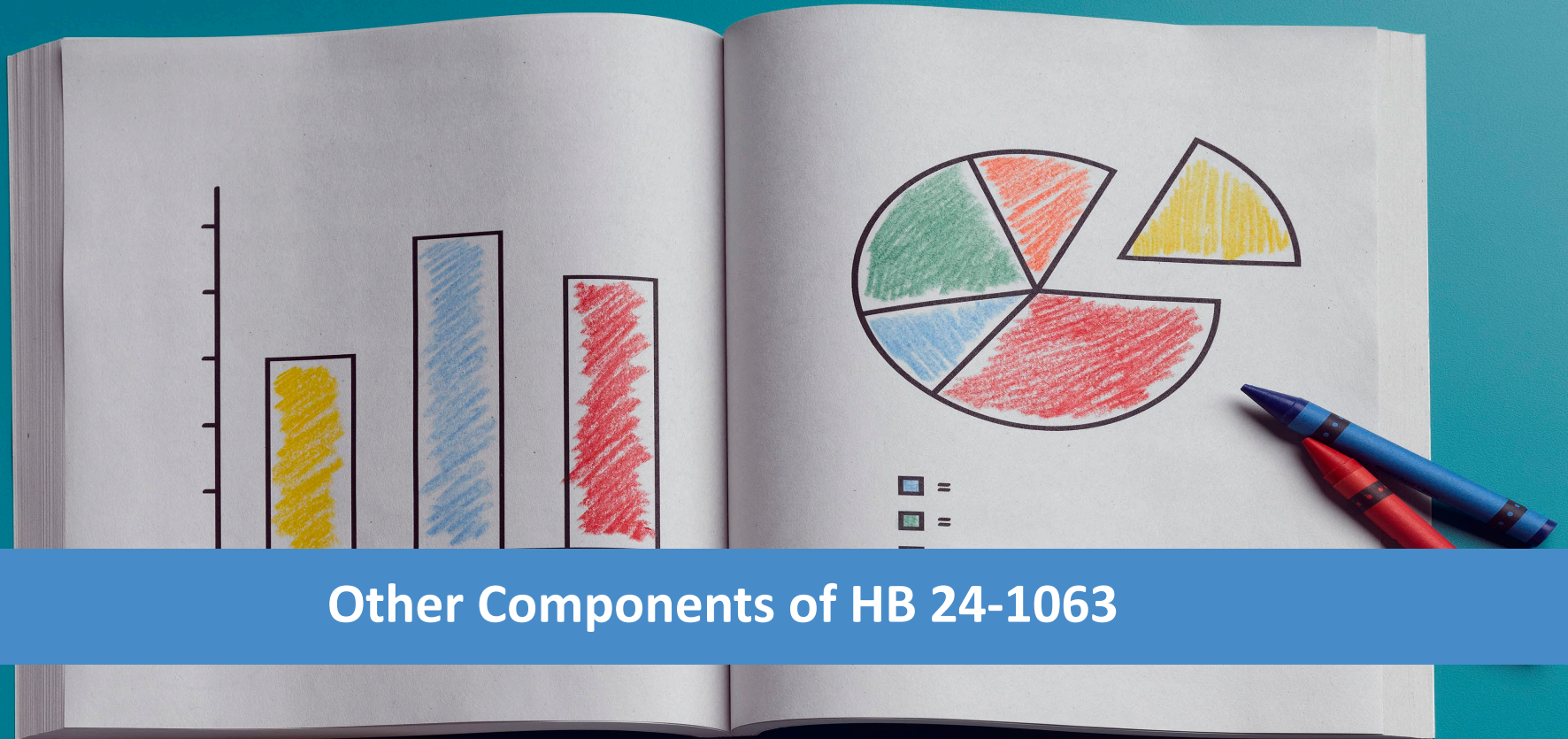


# HB 24-1063 Requirements for Documentation and Record Keeping Part A continued

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- Documentation for each child with a disability who is placed on an abbreviated school day must include (continued previous slide).
  - A timeline to review the schedule to determine the percentage of the school year and whether it is appropriate and complies with applicable federal and state laws and regulations
  - Appropriate point of contact for parents if there is a concern that a law, regulation, or policy has been violated
  - Documentation that parents have been provided a copy of the procedural safeguard information prior to any meeting to discuss an abbreviated school day schedule, including an IEP or 504 meeting.





## Other Components of HB 24-1063

# HB 24-1063 General Supervision and Monitoring Part A

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- The CDE, through its general supervision and monitoring responsibilities required pursuant to the IDEA, shall apply the relevant provisions of the IDEA to eliminate the frequent and long-term use of abbreviated school days that may constitute the denial of a free appropriate public education for children with disabilities. (34 CFR § 300.600)
- The CDE does not have jurisdiction to enforce Section 504. Complaints regarding Section 504 must be made to the Office of Civil Rights.



# HB 24-1063 General Supervision and Monitoring Part B

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- The CDE shall provide ongoing technical assistance on abbreviated school day schedules to Administrative Units.
- The CDE shall provide annual training to Administrative Units. Annual training must include guidance on how the abbreviated school day impacts Colorado's compliance with the IDEA and Section 504.

**Note:** The first training for guidance will occur in the fall of 2025.

# HB 24-1063 Implementing Monitoring for HB 25-1063

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- 2025 – 2026: CDE will pilot a monitoring protocol with selected AUs.
- 2026 – 2027: All AUs will be monitored with the approved monitoring protocol.
  - Fall 2026, CDE will conduct a webinar to review the monitoring protocol.



**Next Steps**



# HB 24-1063 Next Steps Part A

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- **Required:** Adopt the [CDE Model Abbreviated School Day Policy April 2025](#) or your own substantially sufficient policy by July 1, 2025.
  - CDE has developed an assurance document for AUs to sign to note they plan to adopt the model policy or will develop their own.
  - CDE understands it may take time for the local Board of Education to approve of the policy. Signing the assurance that the AU plans to adopt the model policy and uploading the assurance to the DMS by July 1, 2025, will be sufficient. CDE staff will follow-up with those AUs to ensure final Board approval is also uploaded to the DMS within a reasonable time frame.

# HB 24-1063 Next Steps Part B

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- **Required:** Upload the assurance to adopt CDE's Model Policy or your own policy to the Data Management System.
- **Required:** Ensure districts/schools within the AU are collecting appropriate data and documentation.
- **Recommended:** Develop internal processes/procedures within your AU for IEP teams to follow that align with the policy.
- **Recommended:** Be on the look out and attend technical assistance webinars that will cover best practices, data collection, and monitoring to implement HB 24-1063.

# Questions? Contact Us!

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# Questions?

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