

CHAPTER 334

EDUCATION - PUBLIC SCHOOLS

HOUSE BILL 16-1222

BY REPRESENTATIVE(S) Rankin and Tyler, Dore, Thurlow, Wilson, Garnett, Hamner, Lee, Moreno, Pettersen, Buckner, Lontine, Mitsch Bush, Pabon, Rosenthal, Roupe, Hullinghorst, Fields, Kraft-Tharp, Young;
also SENATOR(S) Todd and Hill, Donovan, Heath, Jones, Kerr, Martinez Humenik, Newell, Roberts.

AN ACT

CONCERNING INCREASING THE AVAILABILITY OF SUPPLEMENTAL ONLINE EDUCATION RESOURCES, AND, IN CONNECTION THEREWITH, CREATING THE STATEWIDE SUPPLEMENTAL ONLINE AND BLENDED LEARNING PROGRAM AND MAKING AN APPROPRIATION.

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

SECTION 1. In Colorado Revised Statutes, **amend 22-5-119** as follows:

22-5-119. Statewide supplemental online and blended learning program - legislative declaration - created - contract - definitions. (1) THE SHORT TITLE OF THIS SECTION IS THE "EMPOWERING DIGITAL LEARNING FOR ALL ACT".

(+) (2) (a) (I) The general assembly finds that:

~~(A) Online education courses that are supplemental to the education program provided by a school district, charter school, or BOCES are a valuable resource for schools because they allow a school district, charter school, or BOCES to provide a much richer, more varied curriculum of courses for students at all levels of achievement. Many small school districts and rural communities, however, lack the capacity and resources to develop their own supplemental online courses and blended learning strategies.~~ THE OVERWHELMING INFLUENCE OF THE RAPIDLY EVOLVING USE OF TECHNOLOGY AND THE INTERNET WILL RENDER HIGH-QUALITY REMOTE DIGITAL EDUCATIONAL CONTENT ALMOST COST-FREE AFTER A PERIOD OF DECLINING COSTS. ACCESS TO DIGITAL CONTENT AND EDUCATIONAL COURSES IS ALREADY AN ESSENTIAL PART OF THE HIGHER EDUCATION SYSTEM, BUT IS NOT WIDELY APPLIED IN ELEMENTARY AND SECONDARY EDUCATION. WHILE SOME SCHOOL DISTRICTS HAVE BEEN ABLE TO KEEP PACE WITH THE CHANGING CONTEXT OF PUBLIC EDUCATION, MOST HAVE NOT.

Capital letters indicate new material added to existing statutes; dashes through words indicate deletions from existing statutes and such material not part of act.

~~(B) Supplemental online education courses provide tools for school districts, charter schools, and BOCES to use in decreasing the college remediation rates and in helping their students comply with the higher education admission guidelines;~~ THE SCOPE OF THE COMING CHANGE IN THE DELIVERY OF PUBLIC EDUCATION SERVICES IS MASSIVE AND MORE FAR-REACHING THAN THE CURRENTLY AVAILABLE CONSTRUCTS OF ONLINE LEARNING OR BLENDED LEARNING. THE SCOPE OF THE CHANGE IS SUCH THAT THE ADVANCES THAT THE TECHNOLOGY REVOLUTION BRINGS MUST BE EQUALLY AVAILABLE TO STUDENTS THROUGHOUT COLORADO WHO CHOOSE A BLENDED LEARNING ENVIRONMENT.

~~(C) The cost of supplemental online education courses is prohibitive for many school districts, charter schools, and BOCES whose students may be most in need of these courses. Because of the value of these courses, it is appropriate that the state provide moneys to assist school districts, charter schools, and BOCES in purchasing supplemental online education courses~~ THE PUBLIC EDUCATION SYSTEM MUST TAKE ADVANTAGE OF THIS OPPORTUNITY TO SIGNIFICANTLY IMPROVE STATEWIDE EDUCATIONAL EQUITY BY DELIVERING EDUCATIONAL SERVICES THROUGH THE DIGITAL LEARNING ENVIRONMENT. IT IS LIKELY THAT FAILURE TO EMBRACE THIS CHANGE IN THE DELIVERY OF PUBLIC EDUCATION SERVICES WILL LEAD TO A DECLINE IN THE EQUITY AND QUALITY OF THE SYSTEM OF PUBLIC EDUCATION IN COLORADO.

(D) COLORADO LACKS A CLEARLY ARTICULATED AND ACCEPTED VISION AND PLAN TO IMPLEMENT THE SHIFT IN DELIVERING EDUCATIONAL SERVICES TO A DIGITAL ENVIRONMENT, WHICH MUST OCCUR TO ADEQUATELY PREPARE STUDENTS FOR POSTSECONDARY SUCCESS. IT IS CRUCIAL THAT THE STATE IDENTIFY A SINGLE PUBLIC ENTITY TO PROVIDE LEADERSHIP IN DESIGNING AND IMPLEMENTING A STATEWIDE PLAN FOR INCREASING THE AVAILABILITY OF SUPPLEMENTAL ONLINE EDUCATIONAL COURSES AND BLENDED LEARNING FOR SCHOOL DISTRICTS, CHARTER SCHOOLS, AND BOCES.

(II) It is therefore in the best interests of the state to ~~invest~~ INCREASE ITS INVESTMENT in the expansion of affordable, high-quality supplemental online education courses and blended learning support for school districts, charter schools, and BOCES, especially those that lack the capacity to develop their own supplemental ONLINE EDUCATION COURSE offerings, by subsidizing the provision of SUPPLEMENTAL online education courses, professional development, and technical assistance to implement SUPPLEMENTAL online and blended learning statewide.

(III) Due to its experience in assisting school districts with SUPPLEMENTAL online EDUCATION COURSES and blended learning in Colorado, it is further in the best interests of the state to designate a BOCES to ~~contract through a request for a proposal process that adheres to the goals set forth in paragraph (a.5) of this subsection (1) developed in consultation with the department, with one or more nonprofit providers to provide resources for school districts, charter schools, and BOCES in the form of supplemental online course offerings, professional development for educators, and consulting assistance for schools and school districts wanting to use online and blended learning for their students. In contracting with providers, the priority shall result in the expansion of student access to quality~~

~~supplemental online courses and resources available to implement supplemental online and blended learning in school districts, charter schools, and BOCES statewide~~ ARTICULATE THE STATEWIDE PLAN FOR SUPPLEMENTAL ONLINE AND BLENDED LEARNING AND TO LEAD, MANAGE, AND ADMINISTER THE STATEWIDE SUPPLEMENTAL ONLINE AND BLENDED LEARNING PROGRAM IN ACCORDANCE WITH THIS SECTION.

~~(a.5) The general assembly also finds that the goals of online courses and blended learning strategies are to:~~

~~(I) Expand the availability of online courses and blended learning strategies;~~

~~(II) Increase the number of students taking high-quality, effective, and affordable online courses;~~

~~(III) Establish a program to work with school districts, charter schools, and BOCES to create, offer, and sustain their own high-quality, effective, and affordable blended learning courses, as well as targeted professional development and mentoring support;~~

~~(IV) Increase the capacity of educators in school districts, charter schools, and BOCES to utilize standards, data, and interventions in regular, online, and blended learning classes; and~~

~~(V) Document and share best practices in online and blended learning.~~

~~(b) It is further the intent of The general assembly DECLARES that the amount necessary to reduce the cost to school districts, charter schools, and BOCES of purchasing supplemental online education courses~~ IMPLEMENT THE STATEWIDE SUPPLEMENTAL ONLINE AND BLENDED LEARNING PROGRAM MAY be appropriated annually from federal mineral leasing revenues transferred to the state public school fund pursuant to section 34-63-102, C.R.S., and section 22-54-114 (1).

(c) THE GENERAL ASSEMBLY FURTHER DECLARES THAT, FOR PURPOSES OF SECTION 17 OF ARTICLE IX OF THE STATE CONSTITUTION, THE STATEWIDE SUPPLEMENTAL ONLINE AND BLENDED LEARNING PROGRAM IS AN IMPORTANT ELEMENT IN IMPLEMENTING ACCOUNTABLE EDUCATION REFORM AND ENABLING SCHOOL DISTRICTS, CHARTER SCHOOLS, AND BOCES TO MEET STATE ACADEMIC STANDARDS AND MAY THEREFORE RECEIVE FUNDING FROM THE STATE EDUCATION FUND CREATED IN SECTION 17 (4) OF ARTICLE IX OF THE STATE CONSTITUTION.

~~(2)~~ (3) As used in this section, unless the context otherwise requires:

(a) "ADMINISTERING BOCES" MEANS THE BOCES THAT THE DEPARTMENT DESIGNATES AS PROVIDED IN SUBSECTION (4) OF THIS SECTION.

(b) "BLENDED LEARNING" MEANS A FORMAL EDUCATION PROGRAM THROUGH WHICH A STUDENT LEARNS AT LEAST IN PART THROUGH DIGITAL CONTENT WITH SOME ELEMENT OF STUDENT CONTROL AND AT LEAST IN PART AT A SUPERVISED PHYSICAL LOCATION THAT IS NOT THE STUDENT'S HOME.

~~(a)~~ (c) "BOCES" means a board of cooperative services created pursuant to this article.

~~(b)~~ (d) "Charter school" means a district charter school authorized pursuant to part 1 of article 30.5 of this title or an institute charter school authorized pursuant to part 5 of article 30.5 of this title.

~~(e)~~ (e) "Department" means the department of education created and existing pursuant to section 24-1-115, C.R.S.

(f) "LOCAL PUBLIC EDUCATION AGENCY" MEANS A SCHOOL DISTRICT, BOCES, OR CHARTER SCHOOL.

~~(g)~~ (g) "Provider" means ~~an~~ A NONPROFIT ENTITY OR A LOCAL PUBLIC EDUCATION AGENCY that ~~sells~~ PROVIDES:

(I) Supplemental online education courses that are taught by employees of the provider who are teachers licensed in Colorado pursuant to article 60.5 of this title;

(II) PROFESSIONAL DEVELOPMENT RESOURCES FOR TEACHERS; OR

(III) CONSULTING SERVICES FOR SCHOOL DISTRICTS, CHARTER SCHOOLS, AND BOCES WITH REGARD TO PROVIDING SUPPLEMENTAL ONLINE EDUCATION COURSES AND BLENDED LEARNING.

(h) "SMALL RURAL SCHOOL DISTRICT" MEANS A SCHOOL DISTRICT IN COLORADO THAT THE DEPARTMENT DETERMINES IS RURAL, BASED ON THE GEOGRAPHIC SIZE OF THE SCHOOL DISTRICT AND THE DISTANCE OF THE SCHOOL DISTRICT FROM THE NEAREST LARGE, URBANIZED AREA, AND THAT ENROLLS FEWER THAN ONE THOUSAND STUDENTS IN KINDERGARTEN THROUGH TWELFTH GRADE.

(i) "STATEWIDE SUPPLEMENTAL ONLINE AND BLENDED LEARNING PROGRAM" OR "PROGRAM" MEANS THE PROGRAM DESCRIBED IN SUBSECTION (4) OF THIS SECTION.

~~(e)~~ (j) "Supplemental online education course" means an education course that is:

(I) Taught by a teacher who is licensed pursuant to article 60.5 of this title;

(II) Delivered via ~~an internet~~ A TECHNOLOGICALLY ENHANCED format to one or more students at a location that is remote from the delivery point; and

(III) ~~Purchased~~ DEVELOPED by a school district, charter school, or BOCES OR OBTAINED from a provider to augment the education program provided by the school district, charter school, or BOCES.

(4)(a) THE DEPARTMENT, IN CONSULTATION WITH THE STATEWIDE ASSOCIATION OF BOCES, SHALL DESIGNATE A BOCES TO LEAD, MANAGE, AND ADMINISTER THE STATEWIDE SUPPLEMENTAL ONLINE AND BLENDED LEARNING PROGRAM AS PROVIDED IN THIS SECTION. IN ADMINISTERING THE PROGRAM, THE BOCES, SUBJECT TO AVAILABLE APPROPRIATIONS, SHALL SELECT AND CONTRACT WITH PROVIDERS IN

ACCORDANCE WITH SUBSECTION (6) OF THIS SECTION TO PROVIDE THE RESOURCES DESCRIBED IN PARAGRAPH (b) OF SUBSECTION (5) OF THIS SECTION. AT LEAST EVERY FIVE YEARS, THE DEPARTMENT, IN CONSULTATION WITH THE STATEWIDE ASSOCIATION OF BOCES, SHALL REVIEW THE DESIGNATION OF THE ADMINISTERING BOCES AND MAY CONTINUE THE DESIGNATION OR SELECT A DIFFERENT BOCES.

(b) THE ADMINISTERING BOCES SHALL MANAGE AND ADMINISTER THE PROGRAM TO ACHIEVE, AT A MINIMUM, THE FOLLOWING GOALS:

(I) EXPANDING THE AVAILABILITY OF SUPPLEMENTAL ONLINE EDUCATION COURSES AND BLENDED LEARNING STRATEGIES;

(II) INCREASING SIGNIFICANTLY THE NUMBER OF STUDENTS WHO ENROLL IN HIGH-QUALITY, EFFECTIVE, AND AFFORDABLE SUPPLEMENTAL ONLINE EDUCATION COURSES;

(III) WORKING WITH SCHOOL DISTRICTS, CHARTER SCHOOLS, AND BOCES TO CREATE, OFFER, AND SUSTAIN THEIR OWN HIGH-QUALITY, EFFECTIVE, AND AFFORDABLE SUPPLEMENTAL ONLINE EDUCATION COURSES AND BLENDED LEARNING, AS WELL AS TARGETED PROFESSIONAL DEVELOPMENT AND MENTORING SUPPORT;

(IV) ASSISTING EDUCATORS IN LOCAL PUBLIC EDUCATION AGENCIES TO INCREASE THEIR COMPETENCY SPECIFICALLY IN USING DIGITAL LEARNING STRATEGIES TO LEAD AND INSTRUCT IN, AND OTHERWISE IMPLEMENT, DIGITAL LEARNING; AND

(V) DOCUMENTING AND SHARING BEST PRACTICES IN PROVIDING SUPPLEMENTAL ONLINE EDUCATION COURSES AND BLENDED LEARNING.

(5) (a) IN LEADING THE STATEWIDE SUPPLEMENTAL ONLINE AND BLENDED LEARNING PROGRAM, THE ADMINISTERING BOCES, IN PARTNERSHIP WITH THE COMMISSIONER OF EDUCATION, THE STATE BOARD OF EDUCATION AND ONE OR MORE PRIVATE, NONPROFIT ENTITIES, SHALL PREPARE A PLAN FOR INTEGRATING SUPPLEMENTAL ONLINE AND BLENDED LEARNING INTO THE EDUCATIONAL PROGRAMS PROVIDED BY SCHOOL DISTRICTS, CHARTER SCHOOLS, AND BOCES. EACH SCHOOL DISTRICT, CHARTER SCHOOL, AND BOCES MAY DETERMINE THE EXTENT TO WHICH IT PARTICIPATES IN THE STATEWIDE PLAN.

(b) THE ADMINISTERING BOCES SHALL ENSURE THAT, THROUGH THE PROGRAM, ALL SCHOOL DISTRICTS, CHARTER SCHOOLS, AND BOCES IN THE STATE HAVE ACCESS TO:

(I) SUPPLEMENTAL ONLINE AND BLENDED LEARNING RESOURCES, INCLUDING, AT A MINIMUM, SUPPLEMENTAL ONLINE EDUCATION COURSES AVAILABLE FROM CONTRACT PROVIDERS OR FROM A SCHOOL DISTRICT, CHARTER SCHOOL, OR BOCES AND A LIBRARY OF DIGITAL COURSE CONTENT;

(II) PROFESSIONAL DEVELOPMENT RESOURCES FOR TEACHERS, INCLUDING RESOURCES FOR CERTIFYING TEACHERS' ABILITY TO SUCCESSFULLY INTEGRATE SUPPLEMENTAL ONLINE AND BLENDED LEARNING RESOURCES INTO SCHOOL-BUILDING-BASED EDUCATIONAL PROGRAMS; AND

(III) CONSULTING ASSISTANCE FOR SCHOOL DISTRICTS, CHARTER SCHOOLS, AND BOCES THAT CHOOSE TO USE SUPPLEMENTAL ONLINE AND BLENDED LEARNING FOR STUDENTS, INCLUDING AN INVENTORY OF SUCCESSFUL MODELS FOR INTEGRATING SUPPLEMENTAL ONLINE EDUCATION COURSES AND BLENDED LEARNING INTO SCHOOL-BUILDING-BASED EDUCATIONAL PROGRAMS.

(c) THE ADMINISTERING BOCES SHALL ACTIVELY MARKET TO SCHOOL DISTRICTS, CHARTER SCHOOLS, AND BOCES THE AVAILABILITY OF RESOURCES THROUGH THE STATEWIDE SUPPLEMENTAL ONLINE AND BLENDED LEARNING PROGRAM.

(d) THE ADMINISTERING BOCES MAY ENTER INTO AN AGREEMENT WITH THE STATEWIDE INTERNET PORTAL AUTHORITY CREATED IN ARTICLE 37.7 OF TITLE 24, C.R.S., TO PROVIDE THE PLATFORM FOR ACCESSING SERVICES AND PROGRAMS AVAILABLE THROUGH THE STATEWIDE SUPPLEMENTAL ONLINE AND BLENDED LEARNING PROGRAM.

~~(3)(6)(a) On or before February 15, 2015, and on or before February 15 of every third year thereafter, the BOCES designated pursuant to subsection (4) of this section shall, subject to available appropriations, create~~ THE ADMINISTERING BOCES SHALL ESTABLISH a fair and transparent request for a proposal process to select one or more non-profit USE WHEN SELECTING providers to provide resources for school districts, charter schools, and BOCES in the form of supplemental online course offerings, professional development for educators, and consulting assistance for school districts, charter schools, and BOCES wanting to use online and blended learning for students. Proposals received in response to the request for proposals must be reviewed by a committee consisting of AS DESCRIBED IN PARAGRAPH (b) OF SUBSECTION (5) OF THIS SECTION THROUGH THE STATEWIDE SUPPLEMENTAL ONLINE AND BLENDED LEARNING PROGRAM. THE REQUEST FOR PROPOSAL PROCESS MUST INCLUDE INPUT FROM A REVIEW COMMITTEE AS DESCRIBED IN PARAGRAPH (b) OF THIS SUBSECTION (6) THAT THE ADMINISTERING BOCES CONVENES AS NEEDED.

(b) THE REVIEW COMMITTEE CONSISTS OF:

(I) A representative from the ~~designated~~ ADMINISTERING BOCES;

(II) A representative from the office in the department responsible for online and blended learning;

(III) THE FOLLOWING MEMBERS SELECTED JOINTLY BY THE ADMINISTERING BOCES AND THE DEPARTMENT:

(A) A national expert in online and blended learning; ~~to be selected by the designated BOCES and the department;~~

(B) An administrator from a SCHOOL THAT IS DESIGNATED an alternative education campus school ~~to be selected by the designated BOCES and the department~~ AS PROVIDED IN SECTION 22-7-604.5; and

(C) An administrator from a school that ~~purchases~~ OBTAINS online or blended services ~~to be selected by the designated BOCES and the department. The committee must convene at least ninety days prior to the release of the request for~~

~~proposals~~ THROUGH THE PROGRAM; AND

(IV) TWO EDUCATORS AS FOLLOWS:

(A) ONE EDUCATOR APPOINTED BY THE GOVERNOR, OR HIS OR HER DESIGNEE, WHO HAS EXPERIENCE WITH SUPPLEMENTAL ONLINE EDUCATION OR BLENDED LEARNING; AND

(B) ONE EDUCATOR SELECTED BY THE DEPARTMENT WHO IS EMPLOYED IN A SMALL RURAL SCHOOL DISTRICT. THE DEPARTMENT IS ENCOURAGED TO SELECT AN EDUCATOR WHO HAS EXPERIENCE WITH SUPPLEMENTAL ONLINE EDUCATION OR BLENDED LEARNING.

(c) The REVIEW committee shall review all proposals using ~~an established rubric~~ RUBRICS and shall recommend one or more providers for approval to the ADMINISTERING BOCES. ~~designated pursuant to subsection (4) of this section.~~ If the ~~designated~~ ADMINISTERING BOCES chooses not to follow the recommendations of the REVIEW committee concerning ~~any~~ A provider, it shall provide the REVIEW committee with a written explanation of ~~its rationale for so doing~~ THE RATIONALE FOR THE DECISION.

(d) A PROVIDER THAT THE ADMINISTERING BOCES CONTRACTS WITH PURSUANT TO THIS SUBSECTION (6) MAY SUBCONTRACT WITH ONE OR MORE FOR-PROFIT OR NONPROFIT ENTITIES, LOCAL PUBLIC EDUCATION AGENCIES, OR PRIVATE ORGANIZATIONS IN MEETING THE OBLIGATIONS OF ITS CONTRACT WITH THE ADMINISTERING BOCES.

~~(3.3)~~ (7) Supplemental online education courses must be provided to a ~~purchasing~~ school district, charter school, or BOCES at an affordable total program cost for high-quality, accredited courses with local support.

~~(3.5)~~ (8) Each high school student in Colorado may take at least one supplemental online course per year. ~~The EACH~~ supplemental online course ~~CONTRACT~~ provider shall report to the ADMINISTERING BOCES ~~designated pursuant to subsection (4) of this section which~~ INFORMATION CONCERNING THE students ~~are participating~~ WHO PARTICIPATE IN THE supplemental online courses ~~so~~ TO ENABLE the ADMINISTERING BOCES ~~designated pursuant to subsection (4) of this section can~~ TO TRACK ~~student~~ THE STUDENTS' academic performance ~~for those students taking~~ IN THE supplemental online courses. The ADMINISTERING BOCES ~~designated pursuant to subsection (4) of this section~~ shall annually collect data related to completion and passage rates from ~~any nonprofit~~ THE providers ~~selected~~ CONTRACTED to provide SUPPLEMENTAL online and blended learning and report that data to the department. ~~The data collected by the department must be collected~~ SHALL COLLECT THE DATA through existing student data collection systems and in compliance with all state and federal laws and regulations concerning the privacy of information, including but not limited to the federal "Family Education Rights and Privacy Act of 1974", 20 U.S.C. sec. 1232g, as amended.

~~(4)~~ (9) The general assembly shall annually appropriate to the department ~~of education~~ for allocation to a ~~BOCES designated, in consultation with the statewide association of BOCES,~~ ~~moneys~~ THE ADMINISTERING BOCES AN AMOUNT sufficient

to administer THE STATEWIDE SUPPLEMENTAL ONLINE AND BLENDED LEARNING PROGRAM and fund ~~any contract entered into with a provider~~ THE CONTRACTS ENTERED INTO WITH PROVIDERS pursuant to this section. The ~~designated~~ ADMINISTERING BOCES may expend ~~not more than two~~ UP TO TEN percent of the ~~contract amount in administering any such contract~~ THE AMOUNT ANNUALLY APPROPRIATED TO OFFSET ITS COSTS INCURRED IN LEADING, MANAGING, AND ADMINISTERING THE PROGRAM.

~~(5)~~ (10) (a) On or before March 15, ~~2008~~ 2017, and on or before March 15 each year thereafter, the ~~designated~~ ADMINISTERING BOCES shall submit to the education committees of the house of representatives and the senate, or any successor committees, the joint budget committee of the general assembly, THE STATE BOARD OF EDUCATION, and the department a report ~~summarizing the provision of supplemental online courses pursuant to this section~~ CONCERNING IMPLEMENTATION AND USE OF THE STATEWIDE SUPPLEMENTAL ONLINE AND BLENDED LEARNING PROGRAM FOR THE PRECEDING SCHOOL YEAR. ~~At a minimum, the report must include:~~

~~(a) The number of registrants in supplemental online courses, disaggregated by the school district, charter school, or BOCES that registered the students;~~

~~(b) The supplemental online course titles offered and the number of registrants per course;~~

~~(c) Completion statistics for each supplemental online course, disaggregated by semester;~~

~~(d) The number of supplemental online courses taken for both high school and postsecondary credit, disaggregated by postsecondary institution and school district;~~

~~(e) A list of the supplemental online courses developed or revised by the contract provider;~~

~~(f) The strategies used successfully to facilitate student success in supplemental online course work;~~

~~(g) An analysis of the reasons school districts, charter schools, and BOCES use supplemental online courses;~~

~~(h) A description of any unique uses of supplemental online courses by school districts, charter schools, and BOCES;~~

~~(i) A description of any barriers encountered by school districts, charter schools, or BOCES in using supplemental online courses;~~

~~(j) Results from an annual survey of parents, teachers, and students regarding participation in and satisfaction with supplemental online courses offered by a nonprofit provider with which the BOCES designated pursuant to subsection (4) of this section contracted;~~

~~(k) Trend data related to the supplemental online learning environment; and~~

~~(f) An accounting of the expenditure of the funds allocated pursuant to subsection (4) of this section, which must include an accounting by the designated BOCES and any contract providers.~~

(b) THIS SUBSECTION (10) IS EXEMPT FROM THE PROVISIONS OF SECTION 24-1-136 (11), C.R.S., AND THE ANNUAL REPORTING REQUIREMENTS OF THIS SUBSECTION (10) ARE EFFECTIVE UNTIL CHANGED BY THE GENERAL ASSEMBLY ACTING BY BILL.

~~(6) Repealed.~~

SECTION 2. In Colorado Revised Statutes, **amend** 22-30.7-109.5 as follows:

22-30.7-109.5. Online programs and online schools - report to authorizer and department. Each online program and online school shall annually submit to its authorizer and to the department information, pursuant to state board rules, concerning sound financial and accounting practices and resources. A multi-district online school shall notify its authorizer and the department of any intent to amend the program's or school's application for certification ~~which shall include any intent to expand grade levels served by the program or school. any intent to change education service providers, or other intended changes, as defined by the state board.~~ If the department concludes that the online program or online school should not be permitted to amend its application for certification TO EXPAND GRADE LEVELS SERVED BY THE PROGRAM OR SCHOOL based on the quality standards established by the state board pursuant to section 22-30.7-105, the department shall notify the authorizer and the online program or online school of its decision within thirty days ~~of~~ AFTER receiving the notification from the program or school. The authorizer shall then have thirty days to appeal the department's decision to the state board, pursuant to the state board's administrative policies.

SECTION 3. Appropriation. For the 2016-17 state fiscal year, \$480,000 is appropriated to the department of education. This appropriation is from the state public school fund created in section 22-54-114 (1), C.R.S. To implement this act, the department may use this appropriation for the statewide supplemental online and blended learning program.

SECTION 4. Safety clause. The general assembly hereby finds, determines, and declares that this act is necessary for the immediate preservation of the public peace, health, and safety.

Approved: June 10, 2016