

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

INTRODUCED

LLS NO. 23-0399.01 Shelby Ross x4510

HOUSE BILL 23-1188

HOUSE SPONSORSHIP

Soper and Michaelson Jenet,

SENATE SPONSORSHIP

Rich,

House Committees
Education

Senate Committees

A BILL FOR AN ACT

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

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

1 TEACHER DIRECTION IN EACH CONTEXT; SATISFACTORY STUDENT
2 ACHIEVEMENT; AND SUPPORT FOR NONTRADITIONAL LEARNERS;

3 (c) THESE PROGRAMS, INCLUDING THE WELL-ESTABLISHED VISION
4 CHARTER ACADEMY IN THE DELTA COUNTY SCHOOL DISTRICT AND THE
5 MESA VALLEY COMMUNITY SCHOOL, HAVE DEMONSTRATED
6 EDUCATIONAL VALUE AND HAVE SERVED MANY COLORADO FAMILIES FOR
7 YEARS; HOWEVER, THE PROGRAMS DO NOT READILY FIT WITHIN THE
8 "PUBLIC SCHOOL FINANCE ACT OF 1994";

9 (d) DURING THE COVID-19 PANDEMIC, MANY STUDENTS ENGAGED
10 IN PERIODS OF REMOTE LEARNING OR BLENDED REMOTE AND IN-PERSON
11 LEARNING. CODIFYING HIGH-QUALITY EXPECTATIONS FOR SUCH FORMS OF
12 LEARNING WILL IMPROVE STUDENT EXPERIENCES AND OUTCOMES DURING
13 ANY FUTURE EMERGENCY.

14 (e) ACHIEVING AND SUSTAINING EDUCATIONAL SUCCESS FOR
15 STUDENTS IN THESE PROGRAMS REQUIRES A FRAMEWORK OF APPROPRIATE
16 RULES.

17 (2) THEREFORE, THE GENERAL ASSEMBLY DECLARES THAT IN
18 ORDER TO RECOGNIZE THESE SCHOOLS' EFFORTS AND THE POTENTIAL
19 VALUE OF THIS MODEL TO OTHERS, THE "INDIVIDUALIZED LEARNING
20 SCHOOLS ACT" INTENDS TO CODIFY THESE SCHOOLS' SUCCESSFUL,
21 FISCALLY SOUND, AND FULLY ACCOUNTABLE PROGRAMS.

22 **22-27.7-103. Definitions.** AS USED IN THIS ARTICLE 27.7, UNLESS
23 THE CONTEXT OTHERWISE REQUIRES:

24 (1) "CHARTER AUTHORIZER" HAS THE SAME MEANING AS SET
25 FORTH IN SECTION 22-28-103 (1.5).

26 (2) "CHARTER SCHOOL" MEANS A CHARTER SCHOOL AUTHORIZED
27 BY A SCHOOL DISTRICT PURSUANT TO PART 1 OF ARTICLE 30.5 OF THIS

1 TITLE 22 OR A CHARTER SCHOOL AUTHORIZED BY THE STATE CHARTER
2 SCHOOL INSTITUTE PURSUANT TO PART 5 OF ARTICLE 30.5 OF THIS TITLE
3 22.

4 (3) "DEPARTMENT" MEANS THE DEPARTMENT OF EDUCATION.

5 (4) "DIRECT PERSONAL CONTACT" MEANS A ONE-ON-ONE OR
6 GROUP MEETING BETWEEN A TEACHER AND A STUDENT, A TEACHER AND
7 A MENTOR, OR A TEACHER, STUDENT, AND MENTOR, WITH THE PURPOSE OF
8 PROVIDING EFFECTIVE INSTRUCTION TO THE STUDENT. DIRECT PERSONAL
9 CONTACT MUST BE IN PERSON, BY TELEPHONE, OR BY INTERACTIVE VIDEO
10 TECHNOLOGY.

11 (5) "INDIVIDUALIZED LEARNING" MEANS A COURSE OF
12 INSTRUCTION OR GRADE-LEVEL COURSE WORK THAT IS:

13 (a) PROVIDED, IN WHOLE OR IN PART, INDEPENDENTLY FROM A
14 REGULAR CLASSROOM SETTING OR SCHEDULE, BUT MAY INCLUDE
15 COMPONENTS OF DIRECT INSTRUCTION;

16 (b) SUPERVISED, MONITORED, ASSESSED, EVALUATED, AND
17 DOCUMENTED BY A TEACHER EMPLOYED BY AN INDIVIDUALIZED LEARNING
18 ENTITY; AND

19 (c) DOCUMENTED IN THE STUDENT'S WRITTEN LEARNING PLAN
20 CONSISTENT WITH THE INDIVIDUALIZED LEARNING ENTITY'S POLICY AND
21 THIS ARTICLE 27.7.

22 (6) "INDIVIDUALIZED LEARNING ENTITY" MEANS:

23 (a) AN INDIVIDUALIZED LEARNING SCHOOL; OR

24 (b) A PUBLIC SCHOOL, OR CHARTER SCHOOL THAT IS PERMITTED BY
25 ITS CHARTER AUTHORIZER, THAT OFFERS AN INDIVIDUALIZED LEARNING
26 PROGRAM.

27 (7) "INDIVIDUALIZED LEARNING PROGRAM" MEANS

1 INDIVIDUALIZED LEARNING PROVIDED AS ONE PROGRAM AMONG OTHERS
2 AS PART OF A PUBLIC SCHOOL OR BY AGREEMENT BETWEEN AN
3 INDIVIDUALIZED LEARNING SCHOOL AND A PUBLIC SCHOOL PROVIDING
4 OTHER PROGRAMS, AND IN EACH CASE INCLUDING IN-PERSON INSTRUCTION
5 SCHEDULES AVAILABLE TO STUDENTS PARTICIPATING IN INDIVIDUALIZED
6 LEARNING.

7 (8) "INDIVIDUALIZED LEARNING SCHOOL" MEANS A SCHOOL
8 DEDICATED TO PROVIDING INDIVIDUALIZED LEARNING TO ALL ENROLLED
9 STUDENTS.

10 (9) "IN-PERSON INSTRUCTION" MEANS FACE-TO-FACE DIRECT
11 PERSONAL CONTACT IN A TRADITIONAL CLASSROOM OR TUTOR SETTING.

12 (10) "IN-PERSON INSTRUCTION SCHEDULE" MEANS TRADITIONAL,
13 FULL-TIME USE OF IN-PERSON INSTRUCTION.

14 (11) "INTERVENTION PLAN" MEANS A PLAN DESIGNED TO IMPROVE
15 THE PROGRESS OF A STUDENT DETERMINED NOT TO BE MAKING
16 SATISFACTORY PROGRESS.

17 (12) "MENTOR" MEANS AN ADULT, WHO MAY BE A STUDENT'S
18 PARENT OR LEGAL GUARDIAN, OR A PERSON AGREED UPON BETWEEN THE
19 INDIVIDUALIZED LEARNING ENTITY AND THE STUDENT'S PARENT OR LEGAL
20 GUARDIAN, WHO SERVES AS THE POINT OF CONTACT BETWEEN THE
21 STUDENT AND THE INDIVIDUALIZED LEARNING ENTITY.

22 (13) "PUBLIC SCHOOL" MEANS A SCHOOL OF A SCHOOL DISTRICT;
23 A CHARTER SCHOOL AUTHORIZED BY A SCHOOL DISTRICT PURSUANT TO
24 PART 1 OF ARTICLE 30.5 OF THIS TITLE 22; AN INSTITUTE CHARTER SCHOOL
25 AUTHORIZED BY THE STATE CHARTER SCHOOL INSTITUTE PURSUANT TO
26 PART 5 OF ARTICLE 30.5 OF THIS TITLE 22; A BOARD OF COOPERATIVE
27 SERVICES CREATED AND OPERATING PURSUANT TO ARTICLE 5 OF THIS

1 TITLE 22; OR THE COLORADO SCHOOL FOR THE DEAF AND THE BLIND
2 CREATED AND EXISTING PURSUANT TO SECTION 22-80-102 (1)(a).

3 (14) "SATISFACTORY PROGRESS" MEANS A DETERMINATION MADE
4 BY THE STUDENT'S TEACHER THAT THE STUDENT'S PROGRESS TOWARD
5 ACHIEVING THE SPECIFIC LEARNING GOALS AND PERFORMANCE
6 OBJECTIVES SPECIFIED IN THE STUDENT'S WRITTEN LEARNING PLAN IS
7 SATISFACTORY.

8 (15) "SCHOOL WEEK" MEANS A SEVEN-DAY PERIOD THAT INCLUDES
9 AT LEAST THREE DAYS WHEN SCHOOL IS IN SESSION.

10 (16) "TEACHER" MEANS A PERSON WHO IS LICENSED PURSUANT TO
11 ARTICLE 60.5 OF THIS TITLE 22 OR EMPLOYED BY A CHARTER SCHOOL AS
12 A TEACHER PURSUANT TO A WAIVER AND REPLACEMENT PLAN APPROVED
13 BY THE STATE BOARD OF EDUCATION.

14 **22-27.7-104. Individualized learning program - individualized**
15 **learning school - authority.** (1) A PUBLIC SCHOOL, OR A CHARTER
16 SCHOOL THAT IS PERMITTED BY ITS CHARTER AUTHORIZER, MAY OFFER AN
17 INDIVIDUALIZED LEARNING PROGRAM OR BECOME AN INDIVIDUALIZED
18 LEARNING SCHOOL. EACH INDIVIDUALIZED LEARNING SCHOOL OR
19 INDIVIDUALIZED LEARNING PROGRAM IS SUBJECT TO THE SAME
20 ASSESSMENT AND ACCOUNTABILITY REQUIREMENTS THAT THE SCHOOL OR
21 PROGRAM WOULD BE SUBJECT TO IF THE SCHOOL OR PROGRAM WERE A
22 FULL-TIME IN-PERSON PUBLIC SCHOOL PROGRAM.

23 (2) EACH CHARTER SCHOOL APPLICATION MUST IDENTIFY
24 WHETHER THE PROPOSED CHARTER SCHOOL WILL OFFER AN
25 INDIVIDUALIZED LEARNING PROGRAM OR BECOME AN INDIVIDUALIZED
26 LEARNING SCHOOL.

27 (3) (a) AN EXISTING CHARTER SCHOOL MAY:

1 (I) REQUEST TO AMEND THE CHARTER CONTRACT AS NECESSARY
2 TO ALLOW THE CHARTER SCHOOL TO OFFER AN INDIVIDUALIZED LEARNING
3 PROGRAM; OR

4 (II) PROPOSE TO BECOME AN INDIVIDUALIZED LEARNING SCHOOL
5 EITHER IN CONNECTION WITH THE CHARTER-RENEWAL PROCESS OR
6 PURSUANT TO AN AGREEMENT BETWEEN THE CHARTER SCHOOL AND THE
7 CHARTER AUTHORIZER THAT THE CHARTER SCHOOL WILL SUBMIT A
8 WRITTEN PLAN FOR BECOMING AN INDIVIDUALIZED LEARNING SCHOOL.

9 (b) A CHARTER AUTHORIZER SHALL NOT UNREASONABLY DELAY,
10 CONDITION, OR DENY THE REQUEST TO OFFER AN INDIVIDUALIZED
11 LEARNING PROGRAM PURSUANT TO SUBSECTION (3)(a)(I) OF THIS SECTION,
12 OR THE PROPOSAL TO BECOME AN INDIVIDUALIZED LEARNING SCHOOL
13 PURSUANT TO SUBSECTION (3)(a)(II) OF THIS SECTION. IF THE CHARTER
14 AUTHORIZER DENIES THE CHARTER SCHOOL'S REQUEST OR PROPOSAL, THE
15 CHARTER SCHOOL MAY FILE A NOTICE WITH THE STATE BOARD OF
16 EDUCATION AS PROVIDED IN SECTION 22-30.5-108 TO APPEAL THE
17 DECISION OF THE CHARTER AUTHORIZER CONCERNING A UNILATERAL
18 IMPOSITION OF CONDITIONS ON THE CHARTER SCHOOL.

19 (4) AN INDIVIDUALIZED LEARNING SCHOOL SHALL:

20 (a) OFFER AN IN-PERSON INSTRUCTION SCHEDULE. IN-PERSON
21 INSTRUCTION MUST BE AVAILABLE TO ALL ENROLLED STUDENTS WHO
22 ELECT TO PARTICIPATE AND MAY BE REQUIRED, TO AN APPROPRIATE
23 DEGREE, FOR STUDENTS WHO DO NOT MAKE SATISFACTORY PROGRESS IN
24 INDEPENDENT LEARNING ACTIVITIES.

25 (b) OPERATE AS PART OF, OR WITHIN REASONABLE PROXIMITY TO,
26 A PUBLIC SCHOOL THAT SERVES STUDENTS ENROLLED IN THE
27 INDIVIDUALIZED LEARNING PROGRAM WHO ELECT TO HAVE OR NEED

1 INCREASED IN-PERSON INSTRUCTION OR AN IN-PERSON INSTRUCTION
2 SCHEDULE; AND

3 (c) HAVE A PHYSICAL LOCATION CONSISTENT WITH THE
4 REQUIREMENTS FOR THE LOCATION OF AN EDUCATIONAL PROGRAM AS
5 PROVIDED IN SECTIONS 22-30.5-504, 22-32-109 (1)(v), AND 22-32-109 (2).

6 (5) AN INDIVIDUALIZED LEARNING SCHOOL OR INDIVIDUALIZED
7 LEARNING PROGRAM MUST HAVE THE CAPACITY TO OFFER AN IN-PERSON
8 INSTRUCTION SCHEDULE. ASSIGNMENT TO AN IN-PERSON INSTRUCTION
9 SCHEDULE IS NOT CONSIDERED A TRANSFER, REMOVAL, OR CHANGE OF
10 LOCATION FROM, OR A LOSS OF ENROLLMENT IN, THE INDIVIDUALIZED
11 LEARNING SCHOOL OR INDIVIDUALIZED LEARNING PROGRAM.

12 (6) IF THE INDIVIDUALIZED LEARNING PROGRAM AND THE PUBLIC
13 SCHOOL PROVIDING THE IN-PERSON INSTRUCTION SCHEDULE ARE
14 OPERATED BY:

15 (a) SEPARATE PUBLIC SCHOOLS, THE PUBLIC SCHOOLS SHALL
16 AGREE IN WRITING ON THE TERMS FOR ASSIGNMENT OF STUDENTS,
17 FUNDING, AND ALL OTHER OPERATIONAL DETAILS OF THE SCHOOL'S
18 RELATIONSHIP; OR

19 (b) THE SAME PUBLIC SCHOOL, THE PUBLIC SCHOOL SHALL ADOPT
20 POLICIES AND APPOINT LEADERSHIP POSITIONS TO PROVIDE FOR THE
21 APPROPRIATE INTEGRATION AND OPERATION OF THE INDIVIDUALIZED
22 LEARNING PROGRAM.

23 (7) THE PUBLIC SCHOOL ESTABLISHING, OR CHARTER AUTHORIZER
24 APPROVING, AN INDIVIDUALIZED LEARNING PROGRAM OR INDIVIDUALIZED
25 LEARNING SCHOOL SHALL PROVIDE THE DEPARTMENT WRITTEN NOTICE OF
26 THE ESTABLISHMENT OR APPROVAL, THE EFFECTIVE DATE, AND THE
27 INDIVIDUALIZED LEARNING SCHOOL'S NAME OR THE NAME OF THE SCHOOL

1 OPERATING, OR OPERATING IN CONJUNCTION WITH, AN INDIVIDUALIZED
2 LEARNING PROGRAM.

3 (8) AN INDIVIDUALIZED LEARNING SCHOOL OR THE PUBLIC SCHOOL
4 OPERATING AN INDIVIDUALIZED LEARNING PROGRAM IS SUBJECT TO
5 COLORADO LAWS GOVERNING PUBLIC SCHOOLS, EXCEPT THOSE DIRECTLY
6 CONTRARY TO THE PROVISIONS OF THIS ARTICLE 27.7 OR WAIVED.

7 **22-27.7-105. Individualized learning entity - enrollment.**

8 (1) AN INDIVIDUALIZED LEARNING ENTITY SHALL BE OPEN FOR
9 ENROLLMENT TO ANY STUDENT WITHIN A REASONABLE DISTANCE TO THE
10 STUDENT'S RESIDENCE THAT PERMITS A STUDENT TO ATTEND SCHOOL IN
11 PERSON ON A DAILY BASIS, IF NEEDED, AS DETERMINED BY THE
12 INDIVIDUALIZED LEARNING ENTITY. AN INDIVIDUALIZED LEARNING ENTITY
13 MAY GIVE PRIORITY TO STUDENTS RESIDING WITHIN THE SCHOOL DISTRICT
14 WHERE THE INDIVIDUALIZED LEARNING ENTITY IS LOCATED.

15 (2) (a) PRIOR TO THE STUDENT'S ENROLLMENT, THE
16 INDIVIDUALIZED LEARNING ENTITY SHALL ADVISE THE STUDENT AND THE
17 STUDENT'S PARENT OR LEGAL GUARDIAN THAT:

18 (I) THE MIX OF INDIVIDUALIZED LEARNING ACTIVITIES AND
19 IN-PERSON INSTRUCTION IS FLEXIBLE AND IS DEPENDENT UPON STUDENT
20 AND PARENT CHOICE AND UPON THE STUDENT MAKING SATISFACTORY
21 ACADEMIC PROGRESS IN INDIVIDUALIZED LEARNING ACTIVITIES; AND

22 (II) FAILURE TO MAKE SATISFACTORY ACADEMIC PROGRESS IN
23 INDIVIDUALIZED LEARNING ACTIVITIES MAY RESULT IN AN IN-PERSON
24 INSTRUCTION SCHEDULE.

25 (b) THE ADVISEMENT REQUIRED PURSUANT TO SUBSECTION (2)(a)
26 OF THIS SECTION MUST BE PROVIDED IN WRITING TO THE STUDENT'S
27 PARENT OR LEGAL GUARDIAN AND ACKNOWLEDGED IN WRITING BY THE

1 PARENT OR LEGAL GUARDIAN AND STUDENT, IF APPROPRIATE. THE
2 ADVISEMENT MUST BE INCLUDED IN THE INDIVIDUALIZED LEARNING
3 ENTITY'S INFORMATIONAL MATERIALS, SUCH AS THE STUDENT AND PARENT
4 HANDBOOK AND THE INDIVIDUALIZED LEARNING ENTITY'S WEBSITE. THE
5 INDIVIDUAL LEARNING ENTITY SHALL MAKE REASONABLE EFFORTS TO
6 ENABLE THE STUDENT'S PARENT OR LEGAL GUARDIAN TO REQUEST AND
7 RECEIVE THE ADVISEMENT IN A LANGUAGE THAT THE PARENT OR LEGAL
8 GUARDIAN IS FLUENT IN.

9 (3) (a) AN INDIVIDUALIZED LEARNING ENTITY MAY DENY
10 ENROLLMENT TO A STUDENT IF THE STUDENT WAS ENROLLED IN ANOTHER
11 INDIVIDUALIZED LEARNING ENTITY AND WAS INVOLUNTARILY ASSIGNED
12 TO A FULL-TIME IN-PERSON INSTRUCTION SCHEDULE WITHIN THE CURRENT
13 OR IMMEDIATELY PRECEDING SCHOOL YEAR.

14 (b) NOTWITHSTANDING SUBSECTION (3)(a) OF THIS SECTION, AN
15 INDIVIDUALIZED LEARNING ENTITY MAY ENROLL A STUDENT ON A
16 CASE-BY-CASE BASIS CONDITIONED UPON STUDENT AND PARENT
17 ASSURANCES THAT ARE SATISFACTORY TO THE INDIVIDUALIZED LEARNING
18 ENTITY.

19 **22-27.7-106. Individualized learning entity - requirements.**

20 (1) AN INDIVIDUALIZED LEARNING ENTITY SHALL BE ACCESSIBLE TO ALL
21 STUDENTS, INCLUDING STUDENTS WITH DISABILITIES.

22 (2) AN INDIVIDUALIZED LEARNING ENTITY SHALL ENSURE
23 STUDENTS HAVE ACCESS TO ALL CURRICULA, COURSE CONTENT,
24 INSTRUCTIONAL MATERIALS, INDIVIDUALIZED LEARNING ACTIVITIES, AND
25 ANY OTHER LEARNING RESOURCES THAT ARE IDENTIFIED IN THE STUDENT'S
26 WRITTEN LEARNING PLAN. THE MATERIALS MUST BE CONSISTENT IN
27 QUALITY TO THOSE AVAILABLE IN OTHER PUBLIC SCHOOLS.

1 (3) AN INDIVIDUALIZED LEARNING ENTITY MAY PURCHASE
2 EDUCATIONAL SUPPLIES, MATERIALS, CURRICULA, AND EQUIPMENT FOR
3 EACH STUDENT'S USE IN COURSES OR INDIVIDUALIZED LEARNING
4 ACTIVITIES. ANY PURCHASE MUST:

5 (a) BE CONSISTENT WITH THE PUBLIC SCHOOL'S OTHER APPROVED
6 EDUCATIONAL MATERIALS OR CURRICULA, IF ANY;

7 (b) CONFORM TO APPLICABLE LAWS AND RULES;

8 (c) BE MADE IN A MANNER CONSISTENT WITH PURCHASES FOR
9 OTHER STUDENTS, IF ANY; AND

10 (d) REMAIN THE PROPERTY OF THE SCHOOL DISTRICT OR PUBLIC
11 SCHOOL AFTER A STUDENT COMPLETES OR EXITS THE INDIVIDUALIZED
12 LEARNING ENTITY.

13 (4) THE INDIVIDUALIZED LEARNING ENTITY SHALL INSTITUTE
14 RELIABLE METHODS TO VERIFY THAT A STUDENT IS DOING THE STUDENT'S
15 OWN WORK. THE METHODS MAY INCLUDE PROCTORED EXAMINATIONS OR
16 PROJECTS, THE USE OF WEB CAMERAS FOR DIRECT COMMUNICATION, OR
17 OTHER TECHNOLOGIES.

18 (5) WHENEVER A NONRESIDENT STUDENT ENDS ENROLLMENT IN
19 AN INDIVIDUALIZED LEARNING ENTITY BEFORE COMPLETING THE
20 STUDENT'S COURSE OF INSTRUCTION, THE INDIVIDUALIZED LEARNING
21 ENTITY SHALL NOTIFY THE STUDENT'S RESIDENT SCHOOL DISTRICT.

22 (6)(a) AN INDIVIDUALIZED LEARNING ENTITY MAY CONTRACT FOR
23 THE PERFORMANCE OF A SERVICE, INCLUDING AN EDUCATIONAL SERVICE,
24 PURSUANT TO SECTION 22-32-122, PROVIDED THE INDIVIDUALIZED
25 LEARNING ENTITY OPERATES SEPARATELY FROM THE CONTRACTED
26 ENTITY. A PERSON ON THE INDIVIDUALIZED LEARNING ENTITY'S
27 GOVERNING BODY SHALL NOT HAVE A DIRECT OR INDIRECT FINANCIAL

1 INTEREST IN THE CONTRACTED ENTITY PROVIDING THE EDUCATIONAL
2 SERVICE.

3 (b) ALL EDUCATIONAL SERVICES MUST BE REASONABLY OVERSEEN
4 BY A TEACHER EMPLOYED BY THE INDIVIDUALIZED LEARNING ENTITY WHO
5 IS RESPONSIBLE FOR THE STUDENT. A CONTRACTED ENTITY MUST PROVIDE
6 THE INDIVIDUALIZED LEARNING ENTITY WITH APPROPRIATE
7 DOCUMENTATION OF THE EDUCATIONAL SERVICES PROVIDED.

8 (c) AN INDIVIDUALIZED LEARNING ENTITY MAY OFFER CREDIT FOR
9 INDIVIDUAL ONLINE COURSES BUT SHALL NOT BE CONSIDERED AN ONLINE
10 PROGRAM, AN ONLINE SCHOOL, OR A LEARNING CENTER, AS THOSE TERMS
11 ARE DEFINED IN SECTION 22-30.7-102.

12 (d) NOTHING IN THIS ARTICLE 27.7 PREVENTS AN INDIVIDUALIZED
13 LEARNING ENTITY FROM CONTRACTING WITH ANOTHER PUBLIC SCHOOL
14 FOR EDUCATIONAL SERVICES OR RESTRICTS A STUDENT ENROLLED IN AN
15 INDIVIDUALIZED LEARNING ENTITY FROM USING CONCURRENT
16 ENROLLMENT OPTIONS PURSUANT TO THE "CONCURRENT ENROLLMENT
17 PROGRAMS ACT", ARTICLE 35 OF THIS TITLE 22, IN HIGHER EDUCATION.

18 (7) (a) A TEACHER EMPLOYED BY THE INDIVIDUALIZED LEARNING
19 ENTITY IS RESPONSIBLE AND ACCOUNTABLE FOR ALL INDIVIDUALIZED
20 LEARNING ACTIVITIES ASSIGNED TO THAT TEACHER IN THE STUDENT'S
21 WRITTEN LEARNING PLAN, INCLUDING REQUIRED SUPERVISED LEARNING,
22 MONITORING, EVALUATION, AND DOCUMENTATION OF STUDENT PROGRESS.

23 (b) THE INDIVIDUALIZED LEARNING ENTITY SHALL ASSIGN EACH
24 STUDENT A DESIGNATED POINT OF CONTACT, WHICH MAY BE A TEACHER
25 OR ADVISOR, WHO COORDINATES ALL INDIVIDUALIZED LEARNING
26 ACTIVITIES.

27 (c) EACH TEACHER SHALL MAINTAIN REGULAR WEEKLY OFFICE

1 HOURS WHEN THE TEACHER IS AVAILABLE FOR SCHEDULED OR
2 UNSCHEDULED DIRECT PERSONAL CONTACT INITIATED BY A STUDENT,
3 MENTOR, OR PARENT.

4 (d) NOTWITHSTANDING THE MONTHLY PROGRESS EVALUATIONS
5 AND INTERVENTIONS OUTLINED IN SECTION 22-27.7-108, EACH TEACHER
6 IS AUTHORIZED TO REQUIRE IN-PERSON INSTRUCTION AS NECESSARY TO
7 PROPERLY SUPPORT THE STUDENT'S LEARNING.

8 (8) THE PUBLIC SCHOOL ENTITY PROVIDING INDIVIDUALIZED
9 LEARNING HAS THE OBLIGATIONS AND POWERS RELATED TO STUDENT
10 DISCIPLINARY OR RESTORATIVE PROCESSES AND STUDENT TRUANCY.

11 **22-27.7-107. Student's written learning plan - requirements.**

12 (1) AN INDIVIDUALIZED LEARNING ENTITY SHALL DEVELOP A WRITTEN
13 LEARNING PLAN FOR EACH STUDENT PARTICIPATING IN INDIVIDUALIZED
14 LEARNING THAT IS DESIGNED TO MEET THE STUDENT'S INDIVIDUAL
15 EDUCATIONAL NEEDS AND PROVIDE EACH STUDENT WITH SUBSTANTIALLY
16 SIMILAR EXPERIENCES AND SERVICES TO THOSE OF OTHER STUDENTS.

17 (2) THE STUDENT'S WRITTEN LEARNING PLAN MUST BE DEVELOPED
18 AND APPROVED BY A TEACHER WITH ASSISTANCE FROM THE STUDENT, THE
19 STUDENT'S MENTOR, OR OTHER INTERESTED PARTIES, AS APPROPRIATE.

20 (3) THE STUDENT'S WRITTEN LEARNING PLAN MUST INCLUDE:

21 (a) A DESCRIPTION OF EACH INDIVIDUALIZED LEARNING COURSE OR
22 LEARNING ACTIVITY THE STUDENT WILL PARTICIPATE IN, INCLUDING
23 SPECIFIC LEARNING GOALS, PERFORMANCE OBJECTIVES, AND ACTIVITIES
24 FOR EACH COURSE, WRITTEN IN A MANNER THAT FACILITATES A MONTHLY
25 EVALUATION OF THE STUDENT'S PROGRESS. THE DESCRIPTION MUST
26 CLEARLY IDENTIFY THE REQUIREMENTS A STUDENT MUST MEET TO
27 SUCCESSFULLY COMPLETE THE COURSE OR COURSE WORK. THIS

1 REQUIREMENT MAY BE MET WITH INDIVIDUAL COURSE SYLLABI OR OTHER
2 SIMILARLY DETAILED DESCRIPTIONS OF THE LEARNING REQUIREMENTS.

3 (b) AN ESTIMATE OF THE AVERAGE NUMBER OF HOURS PER SCHOOL
4 WEEK THE STUDENT WILL ENGAGE IN INDIVIDUALIZED LEARNING
5 ACTIVITIES NECESSARY TO ACCOMPLISH THE LEARNING GOALS AND
6 PERFORMANCE OBJECTIVES;

7 (c) THE TEACHER RESPONSIBLE FOR EACH INDIVIDUALIZED
8 LEARNING COURSE OR LEARNING ACTIVITY;

9 (d) A DESCRIPTION OF THE INSTRUCTIONAL MATERIALS NEEDED TO
10 COMPLETE THE LEARNING PLAN FOR EACH INDIVIDUALIZED LEARNING
11 COURSE OR LEARNING ACTIVITY;

12 (e) A DESCRIPTION OF THE TIMELINES AND METHODS FOR
13 EVALUATING THE STUDENT'S PROGRESS TOWARD ACHIEVING THE
14 LEARNING GOALS AND PERFORMANCE OBJECTIVES;

15 (f) HOW EACH COURSE MEETS THE STATE CONTENT STANDARDS OR
16 GRADE LEVEL EXPECTATIONS AND ANY OTHER ACADEMIC GOALS,
17 OBJECTIVES, AND LEARNING REQUIREMENTS DEFINED BY THE PUBLIC
18 SCHOOL;

19 (g) THE ESTIMATED HOURS PER SEMESTER OF DIRECT PERSONAL
20 CONTACT WITH STUDENTS; THE NUMBER OF WEEKS PER SEMESTER; AND
21 THE TOTAL SEMESTER HOURS OF STUDENT COURSE WORK; AND

22 (h) A STATEMENT THAT DIRECT PERSONAL CONTACT WITH THE
23 STUDENT'S MENTOR IS REQUIRED FOR PURPOSES OF IMPROVING STUDENT
24 LEARNING.

25 (4) DIRECT PERSONAL CONTACT BETWEEN TEACHERS AND
26 STUDENTS MUST TAKE PLACE WITH THE FREQUENCY AND DURATION THAT
27 EACH TEACHER REASONABLY DETERMINES IS NECESSARY FOR EACH

1 STUDENT TO MEET THE STUDENT'S WRITTEN LEARNING PLAN
2 REQUIREMENTS AND, AT A MINIMUM, MUST TAKE PLACE AT LEAST ONCE
3 PER SCHOOL WEEK. THE DIRECT PERSONAL CONTACT MUST BE:

4 (a) FOR THE PURPOSE OF INSTRUCTION, REVIEWING ASSIGNMENTS,
5 TESTING, EVALUATION OF STUDENT PROGRESS, OR OTHER LEARNING
6 ACTIVITIES OR REQUIREMENTS IDENTIFIED IN THE STUDENT'S WRITTEN
7 LEARNING PLAN; AND

8 (b) RELATED TO INDIVIDUALIZED LEARNING COURSE WORK OR AN
9 INDIVIDUALIZED LEARNING ACTIVITY IDENTIFIED IN THE STUDENT'S
10 WRITTEN LEARNING PLAN.

11 (5) (a) FOR PURPOSES OF THE PUPIL ENROLLMENT COUNT DAY, AS
12 DEFINED IN SECTION 22-54-103 (10.5), TEACHERS SHALL DOCUMENT
13 STUDENT AND MENTOR DIRECT PERSONAL CONTACT AND PROVIDE
14 APPROPRIATE ESTIMATES OF STUDENT PARTICIPATION IN THE CURRICULUM
15 ON SUCH DAY OR DAYS AS ARE RELIED UPON BY THE INDIVIDUALIZED
16 LEARNING ENTITY TO DOCUMENT A PROPER STUDENT COUNT.

17 (b) TIME DOCUMENTED, INCLUDING APPROPRIATE ESTIMATES, FOR
18 INDIVIDUALIZED LEARNING, INCLUDING ENROLLED COURSES OR ACTIVITIES
19 WITH DOCUMENTED TIME EQUIVALENCIES, MUST BE COMBINED WITH TIME
20 SPENT DURING IN-PERSON INSTRUCTION FOR PURPOSES OF STUDENT COUNT
21 AUDITS.

22 **22-27.7-108. Monthly evaluation - continuation - intervention**
23 **plan - scheduling. (1) Monthly progress evaluation. (a) A TEACHER**
24 **EMPLOYED BY THE INDIVIDUALIZED LEARNING ENTITY SHALL EVALUATE**
25 **THE EDUCATIONAL PROGRESS OF EACH STUDENT AT LEAST ONCE A MONTH**
26 **DURING THE STUDENT'S ENROLLMENT. THE RESULTS OF EACH EVALUATION**
27 **MUST BE COMMUNICATED TO THE STUDENT, THE STUDENT'S MENTOR, AND**

1 THE STUDENT'S PARENT OR LEGAL GUARDIAN.

2 (b) THE MONTHLY EVALUATION OF A STUDENT'S EDUCATIONAL
3 PROGRESS MUST:

4 (I) BE BASED ON THE LEARNING GOALS AND PERFORMANCE
5 OBJECTIVES OUTLINED IN THE STUDENT'S WRITTEN LEARNING PLAN,
6 STUDENT ENGAGEMENT, EVIDENCE OF THE STUDENT LEARNING THE
7 REQUIRED CONCEPTS, AND THE STUDENT'S SUCCESSFUL COMPLETION OF A
8 COURSE OR INDIVIDUALIZED LEARNING ACTIVITY, ALL IN THE REASONABLE
9 PROFESSIONAL JUDGMENT OF THE TEACHER;

10 (II) BE CONDUCTED IN A MANNER CONSISTENT WITH THE PUBLIC
11 SCHOOL'S STUDENT EVALUATION OR GRADING PROCEDURES; AND

12 (III) INCLUDE DIRECT PERSONAL CONTACT BETWEEN THE TEACHER
13 AND THE STUDENT; EXCEPT THAT DIRECT PERSONAL CONTACT IS NOT
14 REQUIRED AS A PART OF THE EVALUATION CONDUCTED IN THE FINAL
15 MONTH OF THE SCHOOL YEAR IF THE EVALUATION TAKES THE FORM OF THE
16 DELIVERY OF FINAL GRADES TO THE STUDENT AND THE STUDENT'S PARENT.

17 (c) THE TEACHER SHALL IDENTIFY PROGRESS TOWARD, OR
18 SATISFACTION OF, STATE CONTENT STANDARDS IN EACH INSTANCE WHEN
19 THE LEARNING GOALS AND PERFORMANCE OBJECTIVES IDENTIFIED IN THE
20 STUDENT'S WRITTEN LEARNING PLAN ADDRESS STATE CONTENT
21 STANDARDS.

22 (d) IF THE MONTHLY EVALUATION IS NOT COMPLETED WITHIN THE
23 CALENDAR MONTH BEING EVALUATED, THE EVALUATION MUST BE
24 COMPLETED WITHIN FIVE SCHOOL DAYS AFTER THE END OF THE CALENDAR
25 MONTH BEING EVALUATED.

26 (2) **Satisfactory progress.** BASED ON THE MONTHLY PROGRESS
27 EVALUATION, THE STUDENT'S TEACHER SHALL DETERMINE AND DOCUMENT

1 WHETHER THE STUDENT IS MAKING SATISFACTORY PROGRESS TOWARD
2 REACHING THE LEARNING GOALS AND PERFORMANCE OBJECTIVES
3 IDENTIFIED IN THE STUDENT'S WRITTEN LEARNING PLAN. THE TEACHER
4 MAY CONSIDER AND DOCUMENT NON-ACADEMIC FACTORS IN DETERMINING
5 SATISFACTORY PROGRESS.

6 (3) **Intervention plan.** (a) IF IT IS DETERMINED THAT THE
7 STUDENT FAILED TO MAKE SATISFACTORY PROGRESS OR FAILED TO
8 FOLLOW THE STUDENT'S WRITTEN LEARNING PLAN, THE TEACHER SHALL
9 DEVELOP AN INTERVENTION PLAN FOR THE STUDENT WITHIN FIVE SCHOOL
10 DAYS AFTER THE DATE OF THE MONTHLY PROGRESS EVALUATION
11 IDENTIFYING LESS-THAN-SATISFACTORY PROGRESS.

12 (b) THE TEACHER SHALL INVOLVE THE STUDENT, THE STUDENT'S
13 MENTOR, AND THE STUDENT'S PARENT OR LEGAL GUARDIAN, TO THE
14 EXTENT PRACTICAL WITHIN THE TIME ALLOWED, IN DEVELOPING THE
15 INTERVENTION PLAN, AND THE TEACHER MAY CONFER WITH THE STUDENT,
16 THE STUDENT'S MENTOR, AND THE STUDENT'S PARENT OR LEGAL
17 GUARDIAN TO CONSIDER MODIFICATIONS TO THE INTERVENTION PLAN.

18 (c) AT A MINIMUM, THE INTERVENTION PLAN MUST INCLUDE AT
19 LEAST ONE OF THE FOLLOWING INTERVENTIONS:

20 (I) INCREASING THE FREQUENCY OR DURATION OF THE STUDENT'S
21 CONTACT WITH THE TEACHER IN ORDER TO ENHANCE THE TEACHER'S
22 ABILITY TO IMPROVE THE STUDENT'S LEARNING;

23 (II) MODIFYING THE MANNER OF CONTACT BETWEEN THE TEACHER
24 AND THE STUDENT;

25 (III) MODIFYING THE STUDENT'S LEARNING GOALS OR
26 PERFORMANCE OBJECTIVES IDENTIFIED IN THE STUDENT'S WRITTEN
27 LEARNING PLAN; OR

1 (IV) MODIFYING THE NUMBER OR SCOPE OF COURSES OR THE
2 COURSE CONTENT INCLUDED IN THE STUDENT'S WRITTEN LEARNING PLAN.

3 (d) AN INTERVENTION PLAN IS NOT REQUIRED IF THE MONTHLY
4 EVALUATION IS CONDUCTED WITHIN THE LAST FIVE SCHOOL DAYS OF THE
5 SCHOOL YEAR.

6 (4) (a) IF THE STUDENT CONTINUES TO MAKE
7 LESS-THAN-SATISFACTORY PROGRESS AFTER THREE CONSECUTIVE MONTHS
8 DESPITE AN INTERVENTION PLAN, THE TEACHER SHALL, IN CONJUNCTION
9 WITH THE STUDENT AND THE STUDENT'S PARENT OR LEGAL GUARDIAN,
10 DEVELOP AND IMPLEMENT AN AMENDED WRITTEN LEARNING PLAN THAT
11 INCLUDES A COURSE OF STUDY DESIGNED TO MEET THE STUDENT'S NEEDS
12 MORE APPROPRIATELY.

13 (b) A STUDENT ASSIGNED TO AN IN-PERSON INSTRUCTION
14 SCHEDULE MAY SUBSEQUENTLY BE ALLOWED TO PARTICIPATE IN
15 INDIVIDUALIZED LEARNING ACTIVITIES TO AN APPROPRIATE DEGREE AT
16 THE DISCRETION OF THE INDIVIDUALIZED LEARNING ENTITY WITH
17 APPROVAL OF THE CHIEF ACADEMIC OFFICER.

18 **22-27.7-109. Chief academic officer - responsibilities.** (1) THE
19 INDIVIDUALIZED LEARNING PROVIDED AT AN INDIVIDUALIZED LEARNING
20 ENTITY MUST BE OVERSEEN BY A CHIEF ACADEMIC OFFICER WHO IS
21 APPOINTED BY THE INDIVIDUALIZED LEARNING ENTITY. THE CHIEF
22 ACADEMIC OFFICER SHALL:

23 (a) ENSURE THAT TEACHERS AND CONTRACTED ENTITIES COMPLY
24 WITH THIS ARTICLE 27.7 AND WITH INDIVIDUALIZED LEARNING POLICIES
25 DEVELOPED BY THE INDIVIDUALIZED LEARNING ENTITY;

26 (b) COMPLETE AN ANNUAL EVALUATION OF TEACHER
27 PERFORMANCE AS OTHERWISE REQUIRED BY LAW;

1 (c) COMPLETE AN ANNUAL REVIEW OF THE PERFORMANCE OF ANY
2 CONTRACTED ENTITY THAT THE INDIVIDUALIZED LEARNING ENTITY
3 ROUTINELY OR REPEATEDLY CONTRACTS WITH; AND

4 (d) COMPLETE ALL OTHER DUTIES PRESCRIBED BY THIS ARTICLE
5 27.7 OR BY THE GOVERNING BODY OF THE INDIVIDUALIZED LEARNING
6 ENTITY.

7 (2) THE CHIEF ACADEMIC OFFICER MAY EXTEND ANY DEADLINES
8 REQUIRED PURSUANT TO SECTIONS 22-27.7-107 AND 22-27.7-108 DUE TO
9 A STUDENT'S OR TEACHER'S ILLNESS OR OTHER EXCUSED ABSENCE, AS
10 DETERMINED BY THE INDIVIDUALIZED LEARNING ENTITY, PROVIDED THE
11 CHIEF ACADEMIC OFFICER ENSURES THE PROMPT COMPLETION OF SUCH
12 ACTIVITIES OR AN APPROPRIATE ALTERNATIVE TO TIMELY COMPLETION AS
13 SOON AS PRACTICABLE. ANY EXTENSION OF A DEADLINE OR ALTERNATIVES
14 MUST BE IN WRITING.

15 **22-27.7-110. Funding - repeal.** (1) (a) FOR THE 2023-24 AND
16 2024-25 STATE FISCAL YEARS, AN INDIVIDUALIZED LEARNING SCHOOL OR
17 AN INDIVIDUALIZED LEARNING PROGRAM MUST BE FUNDED IF THE SCHOOL
18 OR PROGRAM IS IN COMPLIANCE WITH THIS ARTICLE 27.7 AND A STUDENT:

19 (I) IS ENROLLED IN AN INDIVIDUALIZED LEARNING SCHOOL OR AN
20 INDIVIDUALIZED LEARNING PROGRAM THAT WAS OPERATING ON OR
21 BEFORE THE EFFECTIVE DATE OF THIS ACT;

22 (II) WAS ENROLLED IN A PUBLIC SCHOOL THE PRECEDING
23 ACADEMIC SCHOOL YEAR;

24 (III) WAS NOT ENROLLED IN A PRIVATE SCHOOL OR PARTICIPATING
25 IN A NONPUBLIC HOME-BASED EDUCATION PROGRAM THE PRECEDING
26 SCHOOL YEAR; OR

27 (IV) IS ENROLLING FOR THE FIRST TIME AS A KINDERGARTEN OR

1 FIRST-GRADE STUDENT OR HAS RECENTLY MOVED TO COLORADO AND IS
2 ENROLLING FOR THE FIRST TIME AS A COLORADO RESIDENT IN ANY GRADE
3 LEVEL.

4 (b) THIS SUBSECTION (1) IS REPEALED, EFFECTIVE JULY 1, 2025.

5 (2) BEGINNING WITH THE 2025-26 STATE FISCAL YEAR, A STUDENT
6 ENROLLED IN AN INDIVIDUALIZED LEARNING SCHOOL AND PUBLIC SCHOOL
7 OFFERING AN INDIVIDUALIZED LEARNING PROGRAM MUST BE FUNDED
8 PURSUANT TO THE "PUBLIC SCHOOL FINANCE ACT OF 1994", ARTICLE 54
9 OF THIS TITLE 22, IN THE MANNER AND TO THE DEGREE THAT APPLIES TO
10 A STUDENT ENROLLED AS AN IN-PERSON STUDENT OF THE DISTRICT OR
11 PUBLIC SCHOOL.

12 (3) THE DEPARTMENT SHALL COUNT AND AUDIT THE COUNT OF AN
13 INDIVIDUALIZED LEARNING ENTITY FOR:

14 (a) DOCUMENTATION OF PARTICIPATION IN THE PUPIL ENROLLMENT
15 COUNT DAY, AS DEFINED IN SECTION 22-54-103 (10.5), PURSUANT TO
16 SECTION 22-27.7-107 (5); AND

17 (b) A SUFFICIENT FALL SEMESTER SCHEDULE FOR FULL-TIME OR
18 PART-TIME ENROLLMENT BASED ON THE INFORMATION REQUIRED BY
19 SECTION 22-27.7-107 (3)(g).

20 (4) HOURS COUNTABLE TOWARD A SUFFICIENT SEMESTER
21 SCHEDULE MAY INCLUDE UP TO TWENTY-FOUR HOURS OF DIRECT
22 PERSONAL CONTACT BETWEEN TEACHERS AND MENTORS, INCLUDING
23 STRUCTURED MENTOR ACTIVITIES.

24 (5) AN INDIVIDUALIZED LEARNING ENTITY SHALL DOCUMENT
25 IN-PERSON ATTENDANCE, IN-PERSON LEARNING ACTIVITIES, AND
26 APPROPRIATE PARTICIPATION IN ALL INDEPENDENT LEARNING ACTIVITIES.

27 (6) COUNT AUDITS MUST TAKE PLACE UNDER THE SPECIFIC

1 CRITERIA DEVELOPED BY THE DEPARTMENT. THE DEPARTMENT SHALL
2 PROVIDE THE CRITERIA TO EACH INDIVIDUALIZED LEARNING ENTITY
3 REASONABLY IN ADVANCE OF THE SCHOOL YEAR IN WHICH THE CRITERIA
4 IS APPLICABLE.

5 **22-27.7-111. Independent study.** NOTHING IN THIS ARTICLE 27.7
6 PREVENTS ANY PUBLIC SCHOOL FROM PERMITTING A STUDENT TO ENGAGE
7 IN AND RECEIVE CREDIT FOR INDEPENDENT STUDY AS OTHERWISE
8 PERMITTED BY LAW.

9 **SECTION 2.** In Colorado Revised Statutes, 22-30.5-106, **amend**
10 (1)(r) and (1)(s)(IV)(D); and **add** (1)(t) as follows:

11 **22-30.5-106. Charter application - contents.** (1) The charter
12 school application is a proposed agreement upon which the charter
13 applicant and the chartering local board of education negotiate a charter
14 contract. At a minimum, each charter school application includes:

15 (r) A dispute resolution process, as provided in section
16 22-30.5-107.5; and

17 (s) If the proposed charter school intends to contract with an
18 education management provider:

19 (IV) A copy of the actual or proposed performance contract
20 between the governing board for the proposed charter school and the
21 education management provider that specifies, at a minimum, the
22 following material terms:

23 (D) The conditions for contract renewal and termination; AND

24 (t) A STATEMENT OF WHETHER THE PROPOSED CHARTER SCHOOL
25 PLANS TO OFFER AN INDIVIDUALIZED LEARNING PROGRAM OR BECOME AN
26 INDIVIDUALIZED LEARNING SCHOOL PURSUANT TO ARTICLE 27.7 OF THIS
27 TITLE 22.

1 **SECTION 3. Act subject to petition - effective date.** This act
2 takes effect at 12:01 a.m. on the day following the expiration of the
3 ninety-day period after final adjournment of the general assembly; except
4 that, if a referendum petition is filed pursuant to section 1 (3) of article V
5 of the state constitution against this act or an item, section, or part of this
6 act within such period, then the act, item, section, or part will not take
7 effect unless approved by the people at the general election to be held in
8 November 2024 and, in such case, will take effect on the date of the
9 official declaration of the vote thereon by the governor.