

Second Regular Session  
Seventy-fifth General Assembly  
STATE OF COLORADO

INTRODUCED

LLS NO. 26-0983.01 Veronica Parish x2606

HOUSE BILL 26-1428

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HOUSE SPONSORSHIP

**Sirota and Taggart**, Brown

SENATE SPONSORSHIP

**Bridges and Kirkmeyer**, Amabile

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**House Committees**  
Appropriations

**Senate Committees**

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A BILL FOR AN ACT

101 CONCERNING MEASURES TO IMPROVE THE ADMINISTRATION OF  
102 PUBLICLY FUNDED PROGRAMS AVAILABLE TO STUDENTS WHO  
103 ARE NOT FULL-TIME IN-PERSON STUDENTS, AND, IN CONNECTION  
104 THEREWITH, REQUIRING THE DEPARTMENT OF EDUCATION TO  
105 REPORT ON ONLINE AND PART-TIME ENRICHMENT EDUCATIONAL  
106 PROGRAMS AND AUTHORIZING AN EXTENSION OF THE  
107 DESIGNATION OF A BOARD OF COOPERATIVE SERVICES TO  
108 ADMINISTER THE STATEWIDE SUPPLEMENTAL ONLINE AND  
109 BLENDED LEARNING PROGRAM.

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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*

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.*

*applies to the reengrossed version of this bill will be available at [http://leg.colorado.gov/.](http://leg.colorado.gov/))*

**Joint Budget Committee.** The bill requires the department of education (department) to submit a report to the joint budget committee regarding part-time enrichment programs and single- and multi-district online education programs, including online schools, online programs, and supplemental online courses offered by schools where students are also served on campus.

Under existing law, the statewide supplemental online and blended learning program is administered by a board of cooperative services (administering BOCES) designated by the department, and the department reviews the designation every 5 years. The bill gives the department the option and authority to extend the authorization for the current administering BOCES for up to 2 additional years prior to initiating a new 5-year designation.

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

2           **SECTION 1.** In Colorado Revised Statutes, **add** 22-1-151 as  
3 follows:

4           **22-1-151. Online education - part-time enrichment program**  
5 **- report - definitions - repeal.**

6           (1) AS USED IN THIS SECTION, UNLESS THE CONTEXT OTHERWISE  
7 REQUIRES:

8           (a) "IN-PERSON SCHOOL" MEANS A SCHOOL WHERE STUDENTS  
9 ATTEND IN PERSON ON THE SCHOOL CAMPUS FOR INSTRUCTION, WHICH  
10 SCHOOL MAY ALSO OFFER ONLINE PROGRAMS OR COURSES.

11           (b) "LOCAL EDUCATION PROVIDER" HAS THE MEANING SET FORTH  
12 IN SECTION 22-7-1003.

13           (c) "MULTI-DISTRICT ONLINE SCHOOL" HAS THE MEANING SET  
14 FORTH IN SECTION 22-30.7-102.

15           (d) "ONLINE PROGRAM" HAS THE MEANING SET FORTH IN SECTION  
16 22-30.7-102.

1 (e) "ONLINE SCHOOL" HAS THE MEANING SET FORTH IN SECTION  
2 22-30.7-102.

3 (f) "SINGLE-DISTRICT ONLINE SCHOOL" HAS THE MEANING SET  
4 FORTH IN SECTION 22-30.7-102.

5 (g) "SUPPLEMENTAL PROGRAM" HAS THE MEANING SET FORTH IN  
6 SECTION 22-30.7-102.

7 (2) ON OR BEFORE NOVEMBER 1, 2026, THE DEPARTMENT OF  
8 EDUCATION SHALL SUBMIT A REPORT TO THE JOINT BUDGET COMMITTEE  
9 REGARDING SINGLE-DISTRICT AND MULTI-DISTRICT ONLINE SCHOOLS AND  
10 PART-TIME ENRICHMENT PROGRAMS.

11 (3) THE REPORT MUST INCLUDE THE FOLLOWING INFORMATION  
12 PERTAINING TO ONLINE SCHOOLS, ONLINE PROGRAMS, AND SUPPLEMENTAL  
13 ONLINE COURSES OFFERED BY IN-PERSON SCHOOLS:

14 (a) DESCRIPTIONS OF THE VARIOUS INSTRUCTIONAL AND  
15 FINANCIAL MODELS THROUGH WHICH ONLINE SCHOOLS, ONLINE  
16 PROGRAMS, AND SUPPLEMENTAL PROGRAMS ARE USED TO PROVIDE  
17 COURSE CREDIT IN K-12 PUBLIC EDUCATION, INCLUDING FULL-TIME  
18 ENROLLMENT, PART-TIME ENROLLMENT, SUPPLEMENTAL COURSEWORK,  
19 AND CONCURRENT ENROLLMENT;

20 (b) DATA ON THE NUMBER OF STUDENTS AND PERCENTAGE OF  
21 STUDENTS RECEIVING ONLINE INSTRUCTION THROUGH ONLINE SCHOOLS,  
22 ONLINE PROGRAMS, AND SUPPLEMENTAL PROGRAMS OFFERED BY  
23 IN-PERSON SCHOOLS;

24 (c) COMMON COURSE DELIVERY METHODS, INCLUDING  
25 SYNCHRONOUS AND ASYNCHRONOUS INSTRUCTION;

26 (d) COMMON CONTRACTUAL AND OTHER FINANCIAL  
27 ARRANGEMENTS THROUGH WHICH COURSES ARE DELIVERED;

1 (e) THE ACADEMIC QUALITY OF ONLINE PROGRAMS AND THE  
2 ACADEMIC PERFORMANCE OF STUDENTS ENROLLED IN ONLINE SCHOOLS,  
3 ONLINE PROGRAMS, AND SUPPLEMENTAL PROGRAMS, IN COMPARISON TO  
4 OTHER PUBLIC SCHOOL STUDENTS, TO THE EXTENT DATA IS AVAILABLE.

5 THIS MAY INCLUDE ANALYSIS OF DATA RELATED TO:

6 (I) STUDENT PARTICIPATION IN STATE ASSESSMENTS;

7 (II) STATE ACCOUNTABILITY METRICS;

8 (III) STUDENT PERSISTENCE;

9 (IV) STUDENT POSTSECONDARY OUTCOMES, SUCH AS  
10 MATRICULATION TO FOUR-YEAR INSTITUTIONS OR OTHER POSTSECONDARY  
11 PATHWAYS; AND

12 (V) SUPPLEMENTAL DATA, SUCH AS STUDENT-TO-TEACHER RATIOS  
13 IN ONLINE SCHOOLS, ONLINE PROGRAMS, AND SUPPLEMENTAL PROGRAMS;

14 (f) OPTIONS AND RECOMMENDATIONS FOR COLLECTING  
15 ADDITIONAL DATA ON A TEMPORARY OR ONGOING BASIS TO ENHANCE  
16 LOCAL EDUCATION PROVIDER, COMMUNITY, AND STATE BOARD OF  
17 EDUCATION VISIBILITY AND OVERSIGHT OF ONLINE SCHOOL AND ONLINE  
18 PROGRAM QUALITY;

19 (g) A FISCAL ANALYSIS COMPARING STATE PAYMENT FOR ONLINE  
20 SCHOOLS, ONLINE PROGRAMS, AND SUPPLEMENTAL PROGRAMS AGAINST  
21 ACTUAL COSTS INCURRED. THE REPORT MAY INDICATE WHETHER  
22 EXPENDITURES VARY SIGNIFICANTLY FOR DIFFERENT TYPES OF PROGRAMS.

23 (h) OPTIONS AND RECOMMENDATIONS FOR:

24 (I) OVERSIGHT STRUCTURES FOR ONLINE PROGRAMS THAT TAKE  
25 INTO ACCOUNT THE OPERATIONAL REALITIES OF ONLINE EDUCATION WHILE  
26 SUPPORTING HIGH-QUALITY OUTCOMES FOR STUDENTS; AND

27 (II) FUNDING CHANGES NECESSARY TO ADDRESS SIGNIFICANT

1 DISPARITIES BETWEEN PROGRAM EXPENDITURES AND PER PUPIL STATE  
2 PAYMENTS FOR ONLINE SCHOOLS, ONLINE PROGRAMS, AND SUPPLEMENTAL  
3 PROGRAMS TO ENSURE APPROPRIATE USE OF PUBLIC RESOURCES.

4 (4) CONCERNING PART-TIME ENRICHMENT PROGRAMS, THE REPORT  
5 MUST:

6 (a) DESCRIBE AND CATEGORIZE VARIOUS TYPES OF PART-TIME  
7 ENRICHMENT PROGRAMS AND MODES OF DELIVERY AND INDICATE WHICH  
8 TYPES OF PROGRAMS ARE MOST PREVALENT;

9 (b) ADDRESS TO WHAT EXTENT THESE PROGRAMS ARE FOR  
10 ACTIVITIES THAT ARE PROVIDED FOR FULL-TIME STUDENTS VERSUS  
11 ACTIVITIES THAT ARE PROVIDED SEPARATELY FOR PART-TIME ENRICHMENT  
12 STUDENTS;

13 (c) ADDRESS TO WHAT EXTENT THESE ACTIVITIES ARE ALIGNED TO  
14 SUBJECTS IN WHICH STATE STANDARDS EXIST;

15 (d) COMPARE FUNDED SEAT-TIME TO ACTUAL SEAT-TIME. IF THE  
16 DEADLINE TO SUBMIT THE REPORT DOES NOT ALLOW FOR ADEQUATE TIME  
17 TO ADDRESS THE SEAT-TIME COMPARISON IN THE REPORT, THE REPORT  
18 MUST INCORPORATE REASONABLE ESTIMATES AND IDENTIFY OPTIONS FOR  
19 IMPROVING DATA QUALITY.

20 (e) INCLUDE OPTIONS AND RECOMMENDATIONS FOR CURTAILING  
21 PROGRAM COSTS AND IMPROVING PROGRAM OVERSIGHT TO ENSURE  
22 APPROPRIATE USE OF PUBLIC RESOURCES; AND

23 (f) ADDRESS WHETHER THE SAME PROGRAMS ARE ALSO AVAILABLE  
24 FREE OF COST TO THE SCHOOL'S FULL-TIME STUDENTS WHO ARE SERVED ON  
25 CAMPUS.

26 (5) TO ASSIST IN EVALUATING THE IMPACT OF THE STATEWIDE  
27 SUPPLEMENTAL ONLINE AND BLENDED LEARNING PROGRAM CREATED IN

1 SECTION 22-5-119, THE DEPARTMENT OF EDUCATION SHALL USE DATA  
2 COLLECTED PURSUANT TO SECTION 22-5-119 (4)(c).

3 (6) (a) THE DEPARTMENT OF EDUCATION MAY ACCESS DATA IT  
4 ALREADY COLLECTS AND COLLECT ADDITIONAL DATA IT DEEMS  
5 NECESSARY TO SATISFY THE REPORTING REQUIREMENTS OF THIS SECTION.

6 (b) LOCAL EDUCATION PROVIDERS SHALL PROVIDE ACCURATE  
7 SURVEY RESPONSES, CONTRACTS, AND OTHER FINANCIAL DOCUMENTATION  
8 RELATED TO ONLINE EDUCATION AND PART-TIME ENRICHMENT PROGRAMS  
9 REQUESTED BY THE DEPARTMENT OF EDUCATION PURSUANT TO THIS  
10 SECTION.

11 (7) THIS SECTION IS REPEALED, EFFECTIVE JULY 1, 2027.

12 **SECTION 2.** In Colorado Revised Statutes, 22-5-119, **add** (4)(c)  
13 and (12) as follows:

14 **22-5-119. Statewide supplemental online and blended learning**  
15 **program - contract - legislative declaration - definitions - repeal.**

16 (4) (c) (I) NOTWITHSTANDING SUBSECTION (4)(a) OF THIS SECTION,  
17 THE DEPARTMENT MAY EXTEND THE AUTHORIZATION FOR THE  
18 ADMINISTERING BOCES THAT IS ADMINISTERING THE PROGRAM ON THE  
19 EFFECTIVE DATE OF THIS SECTION FOR UP TO TWO ADDITIONAL YEARS  
20 PRIOR TO INITIATING A NEW FIVE-YEAR DESIGNATION.

21 (II) THIS SUBSECTION (4)(c) IS REPEALED, EFFECTIVE JULY 1, 2028.

22 (12) TO ASSIST THE STATE IN EVALUATING THE IMPACT AND  
23 OUTCOMES OF THE STATEWIDE SUPPLEMENTAL ONLINE AND BLENDED  
24 LEARNING PROGRAM, AT THE DEPARTMENT'S REQUEST, LOCAL EDUCATION  
25 PROVIDERS SHALL PROVIDE STUDENT IDENTIFICATION NUMBERS AND  
26 OTHER STUDENT-LEVEL DATA FOR STUDENTS PARTICIPATING IN THE  
27 STATEWIDE SUPPLEMENTAL ONLINE AND BLENDED LEARNING PROGRAM TO

1 THE DEPARTMENT AND THE ADMINISTERING BOCES.

2           **SECTION 3. Safety clause.** The general assembly finds,  
3 determines, and declares that this act is necessary for the immediate  
4 preservation of the public peace, health, or safety or for appropriations for  
5 the support and maintenance of the departments of the state and state  
6 institutions.