

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

**INTRODUCED**

LLS NO. 19-1005.01 Julie Pelegrin x2700

**SENATE BILL 19-216**

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**SENATE SPONSORSHIP**

**Bridges,**

**HOUSE SPONSORSHIP**

**Bird,**

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**Senate Committees**  
Education

**House Committees**

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**A BILL FOR AN ACT**

101      **CONCERNING INCENTIVES FOR LOCAL EDUCATION PROVIDERS TO**  
102                    **PROVIDE INNOVATIVE LEARNING OPPORTUNITIES FOR HIGH**  
103                    **SCHOOL STUDENTS.**

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

The bill creates the high school innovative learning pilot program (pilot program) to support school districts, boards of cooperative services, and charter schools (local education providers) in providing innovative learning opportunities to students enrolled in grades 9 through 12 (high school students). Each local education provider that is selected to

Shading denotes HOUSE amendment. Double underlining denotes SENATE amendment.  
Capital letters or bold & italic numbers indicate new material to be added to existing statute.  
Dashes through the words indicate deletions from existing statute.

participate in the pilot program is allowed, for purposes of school finance, to count all high school students as full-time pupils regardless of whether they meet the required number of teacher-pupil instruction and contact hours for full-time enrollment.

A local education provider may apply to participate in the pilot program by submitting an application that, among other things, describes the local education provider's innovative learning plan (plan). The bill specifies other requirements for the application and requirements for the plan. The department of education (department) implements the pilot program by reviewing the applications and recommending to the state board of education (state board) the applicants that should participate in the pilot program, and the state board selects the participants. The recommendations and selections must be based on criteria specified in the bill. The bill limits the number of pilot program participants in the first year but states the intent of the general assembly to increase participation to 100% by the 2025-26 budget year.

The bill creates a grant program to award grants to local education providers that do not enroll any part-time high school students. A grant recipient must use the grant money to create and implement a plan and may request assistance from the contracting entity in creating the plan. A grant may be renewed for a total of 3 budget years.

The bill directs the department to contract with a statewide nonprofit entity to assist the department and local education providers in applying to participate in the pilot program, participating in the pilot program and the grant program, evaluating the pilot program and grant program, and preparing a report concerning implementation of the pilot program and grant program. The bill specifies information that each participating local education provider must submit to the department concerning its participation in the pilot program or grant program and requires the department to prepare an annual report summarizing the information and evaluating the success of the pilot program and grant program in increasing high school student participation in innovative learning opportunities.

The pilot program and the grant program are repealed July 1, 2025.

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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** article 35.6 to  
3 title 22 as follows:

4 **ARTICLE 35.6**

5 **High School Innovative Learning Pilot Program**

1           **22-35.6-101. Legislative declaration.** THE GENERAL ASSEMBLY  
2 FINDS THAT IT IS IMPORTANT THAT HIGH SCHOOL STUDENTS HAVE  
3 OPPORTUNITIES TO ENRICH THEIR EDUCATION BY PARTICIPATING IN  
4 INNOVATIVE LEARNING OPPORTUNITIES THAT OCCUR OUTSIDE THE  
5 CLASSROOM, SUCH AS WORKING IN APPRENTICESHIPS OR RESIDENCY  
6 PROGRAMS, ENROLLING IN POSTSECONDARY COURSES TAUGHT ON  
7 COLLEGE CAMPUSES, COMPLETING CAPSTONE PROJECTS, AND ENGAGING  
8 IN COMPETENCY-BASED LEARNING PROJECTS. THESE OPPORTUNITIES  
9 ASSIST STUDENTS IN DEVELOPING ESSENTIAL SKILLS IN THE AREAS OF  
10 PERSONAL SKILLS, ENTREPRENEURIAL SKILLS, CIVIC AND INTERPERSONAL  
11 SKILLS, AND PROFESSIONAL SKILLS IDENTIFIED BY THE DEPARTMENT OF  
12 EDUCATION AND IN ATTAINING COMPETENCIES BEYOND THE HIGH SCHOOL  
13 CURRICULA THAT SUPPORT THE STUDENTS IN SUCCESSFUL TRANSITIONS  
14 FROM HIGH SCHOOL INTO POSTSECONDARY EDUCATION OR DIRECTLY INTO  
15 THE WORKFORCE. THE GENERAL ASSEMBLY FURTHER FINDS, HOWEVER,  
16 THAT THE PUPIL ENROLLMENT COUNT FOR PURPOSES OF SCHOOL FINANCE  
17 IS BASED ON SEAT-TIME REQUIREMENTS; FULL-TIME ENROLLMENT AND  
18 FULL PER PUPIL FUNDING ARE BASED ON DEMONSTRATING A MINIMUM  
19 NUMBER OF TEACHER-PUPIL INSTRUCTION AND CONTACT HOURS. THE  
20 CHALLENGES OF ACCURATELY TRACKING STUDENTS' TIME INSIDE AND  
21 OUTSIDE OF THE CLASSROOM LEAD MANY LOCAL EDUCATION PROVIDERS  
22 TO AVOID THE RISK OF OFFERING THESE TYPES OF INNOVATIVE LEARNING  
23 OPPORTUNITIES. THE GENERAL ASSEMBLY FINDS, THEREFORE, THAT IT IS  
24 IN THE BEST INTERESTS OF THE STATE AND THE HIGH SCHOOL STUDENTS IN  
25 THE STATE TO ENCOURAGE GREATER PARTICIPATION IN INNOVATIVE  
26 LEARNING OPPORTUNITIES BY ALLOWING SELECTED LOCAL EDUCATION  
27 PROVIDERS TO COUNT ALL OF THE STUDENTS ENROLLED IN HIGH SCHOOL

1 AS FULL-TIME PUPILS, REGARDLESS OF THE ACTUAL AMOUNT OF TIME THE  
2 STUDENTS MAY SPEND IN THE CLASSROOM.

3 **22-35.6-102. Definitions.** AS USED IN THIS ARTICLE 35.6, UNLESS  
4 THE CONTEXT OTHERWISE REQUIRES:

5 (1) "COMMISSIONER" MEANS THE COMMISSIONER OF EDUCATION  
6 APPOINTED BY THE STATE BOARD OF EDUCATION PURSUANT TO SECTION  
7 1 OF ARTICLE IX OF THE STATE CONSTITUTION.

8 (2) "DEPARTMENT" MEANS THE DEPARTMENT OF EDUCATION  
9 CREATED AND OPERATING PURSUANT TO SECTION 24-1-115.

10 (3) "EDUCATION LEADERSHIP COUNCIL" MEANS THE COUNCIL  
11 CONVENED BY EXECUTIVE ORDER B 2017-001 IN 2017 TO IDENTIFY THE  
12 VISION AND STRATEGIC PLAN FOR EDUCATION IN COLORADO.

13 (4) "INNOVATIVE LEARNING OPPORTUNITIES" MEANS LEARNING  
14 EXPERIENCES THAT USUALLY OCCUR OUTSIDE OF THE CLASSROOM.  
15 INNOVATIVE LEARNING OPPORTUNITIES MAY INCLUDE WORK-BASED  
16 LEARNING, SUCH AS APPRENTICESHIPS, COMPETENCY-BASED LEARNING  
17 PROJECTS, CAPSTONE PROJECTS, AND OTHER LEARNING EXPERIENCES THAT  
18 ARE DESIGNED TO SUPPORT STUDENTS IN DEVELOPING AND  
19 DEMONSTRATING PERSONAL SKILLS, ENTREPRENEURIAL SKILLS, CIVIC AND  
20 INTERPERSONAL SKILLS, AND PROFESSIONAL SKILLS AS DESCRIBED BY THE  
21 DEPARTMENT.

22 (5) "INNOVATIVE LEARNING PLAN" OR "PLAN" MEANS A LOCAL  
23 EDUCATION PROVIDER'S PLAN TO PROVIDE A VARIETY OF INNOVATIVE  
24 LEARNING OPPORTUNITIES TO STUDENTS ENROLLED IN GRADES NINE  
25 THROUGH TWELVE.

26 (6) "LOCAL EDUCATION PROVIDER" MEANS A SCHOOL DISTRICT  
27 ORGANIZED PURSUANT TO ARTICLE 30 OF THIS TITLE 22, A BOARD OF

1 COOPERATIVE SERVICES CREATED PURSUANT TO ARTICLE 5 OF THIS TITLE  
2 22, A CHARTER SCHOOL AUTHORIZED BY A SCHOOL DISTRICT PURSUANT TO  
3 PART 1 OF ARTICLE 30.5 OF THIS TITLE 22, OR AN INSTITUTE CHARTER  
4 SCHOOL AUTHORIZED BY THE STATE CHARTER SCHOOL INSTITUTE  
5 PURSUANT TO PART 5 OF ARTICLE 30.5 OF THIS TITLE 22.

6 (7) "PILOT PROGRAM" MEANS THE HIGH SCHOOL INNOVATIVE  
7 LEARNING PILOT PROGRAM CREATED IN SECTION 22-35.6-103.

8 (8) "RURAL LOCAL EDUCATION PROVIDER" MEANS:

9 (a) A SCHOOL DISTRICT IN COLORADO THAT THE DEPARTMENT  
10 DETERMINES IS RURAL, BASED ON THE GEOGRAPHIC SIZE OF THE SCHOOL  
11 DISTRICT AND THE DISTANCE OF THE SCHOOL DISTRICT FROM THE NEAREST  
12 LARGE, URBANIZED AREA;

13 (b) A DISTRICT CHARTER SCHOOL THAT IS AUTHORIZED BY A  
14 SCHOOL DISTRICT DESCRIBED IN SUBSECTION (8)(a) OF THIS SECTION; AND

15 (c) AN INSTITUTE CHARTER SCHOOL THAT IS LOCATED WITHIN THE  
16 GEOGRAPHIC BOUNDARIES OF A SCHOOL DISTRICT DESCRIBED IN  
17 SUBSECTION (8)(a) OF THIS SECTION.

18 (9) "SMALL SUBURBAN SCHOOL DISTRICT" MEANS A SCHOOL  
19 DISTRICT THAT IS LOCATED IN A SUBURBAN AREA, AS IDENTIFIED BY THE  
20 DEPARTMENT, AND THAT ENROLLS FEWER THAN TWO THOUSAND  
21 STUDENTS.

22 (10) "STATE BOARD" MEANS THE STATE BOARD OF EDUCATION  
23 CREATED PURSUANT TO SECTION 1 OF ARTICLE IX OF THE STATE  
24 CONSTITUTION.

25 **22-35.6-103. High school innovative learning pilot program -**  
26 **created - rules.** (1) THERE IS CREATED IN THE DEPARTMENT THE HIGH  
27 SCHOOL INNOVATIVE LEARNING PILOT PROGRAM TO AUTHORIZE FULL-TIME

1 FUNDING FOR ALL STUDENTS ENROLLED IN GRADES NINE THROUGH  
2 TWELVE IN HIGH SCHOOLS OPERATED BY SELECTED LOCAL EDUCATION  
3 PROVIDERS TO ENABLE THE LOCAL EDUCATION PROVIDERS TO PROVIDE  
4 INNOVATIVE LEARNING OPPORTUNITIES FOR HIGH SCHOOL STUDENTS TO  
5 SUPPORT THEM IN SUCCESSFUL TRANSITIONS FROM HIGH SCHOOL TO  
6 POSTSECONDARY EDUCATION OR THE WORKFORCE. THE DEPARTMENT  
7 SHALL ADMINISTER THE PILOT PROGRAM BY REVIEWING APPLICATIONS  
8 AND SELECTING THE LOCAL EDUCATION PROVIDERS THAT PROPOSE AN  
9 INNOVATIVE LEARNING PLAN THAT MEETS THE REQUIREMENTS SPECIFIED  
10 IN SECTION 22-35.6-104 AND IS DESIGNED TO ENSURE THAT ALL STUDENTS  
11 ENROLLED IN GRADES NINE THROUGH TWELVE MAY PARTICIPATE IN  
12 INNOVATIVE LEARNING OPPORTUNITIES BEFORE GRADUATION. A LOCAL  
13 EDUCATION PROVIDER THAT IS SELECTED TO PARTICIPATE IN THE PILOT  
14 PROGRAM IS AUTHORIZED TO COUNT STUDENTS ENROLLED IN GRADES NINE  
15 THROUGH TWELVE AS FULL-TIME PUPILS FOR PURPOSES OF THE "PUBLIC  
16 SCHOOL FINANCE ACT OF 1994", ARTICLE 54 OF THIS TITLE 22,  
17 REGARDLESS OF THE ACTUAL NUMBER OF TEACHER-PUPIL INSTRUCTION  
18 HOURS AND TEACHER-PUPIL CONTACT HOURS FOR EACH PUPIL.

19 (2) THE STATE BOARD SHALL PROMULGATE RULES AS NECESSARY  
20 TO IMPLEMENT THE PILOT PROGRAM, INCLUDING AT A MINIMUM,  
21 APPLICATION TIMELINES AND ANY INFORMATION TO BE INCLUDED IN THE  
22 GRANT APPLICATION IN ADDITION TO THE INFORMATION REQUIRED IN  
23 SECTION 22-35.6-104 (1). IN ADOPTING RULES, THE STATE BOARD SHALL  
24 ENSURE, TO THE EXTENT POSSIBLE, THAT A LOCAL EDUCATION PROVIDER  
25 THAT IS A SCHOOL DISTRICT THAT ENROLLS FEWER THAN TWO THOUSAND  
26 STUDENTS, A DISTRICT CHARTER SCHOOL, OR AN INSTITUTE CHARTER  
27 SCHOOL MAY SUBMIT A SIMPLIFIED GRANT APPLICATION.

1           **22-35.6-104. High school innovative learning pilot program -**  
2 **application - requirements.** (1) TOPARTICIPATE IN THE PILOT PROGRAM,  
3 A LOCAL EDUCATION PROVIDER OR A GROUP OF LOCAL EDUCATION  
4 PROVIDERS MUST APPLY TO THE DEPARTMENT IN ACCORDANCE WITH THE  
5 TIMELINES AND PROCEDURES ESTABLISHED BY RULE OF THE STATE BOARD.  
6 A DISTRICT CHARTER SCHOOL MAY PARTICIPATE IN THE PILOT PROGRAM  
7 AS PART OF ITS AUTHORIZING SCHOOL DISTRICT OR APPLY TO PARTICIPATE  
8 IN THE PILOT PROGRAM INDEPENDENTLY. A BOARD OF COOPERATIVE  
9 SERVICES MAY APPLY ON BEHALF OF ITS MEMBER SCHOOL DISTRICTS OR TO  
10 IMPLEMENT AN INNOVATIVE LEARNING PLAN IN A PUBLIC HIGH SCHOOL  
11 OPERATED BY THE BOARD OF COOPERATIVE SERVICES. AN APPLICATION  
12 MUST INCLUDE:

13           (a) THE NUMBER OF STUDENTS ENROLLED IN GRADES NINE  
14 THROUGH TWELVE WHO WERE COUNTED AS FULL-TIME PUPILS AND THE  
15 NUMBER WHO WERE COUNTED AS PART-TIME PUPILS IN THE PRECEDING  
16 THREE BUDGET YEARS, EXPRESSED AS NUMERALS AND AS PERCENTAGES;

17           (b) THE NUMBER OF STUDENTS ENROLLED IN GRADES NINE  
18 THROUGH TWELVE WHO PARTICIPATED IN INNOVATIVE LEARNING  
19 OPPORTUNITIES IN THE PRECEDING FOUR BUDGET YEARS, EXPRESSED AS  
20 NUMERALS AND AS PERCENTAGES;

21           (c) THE NUMBER OF STUDENTS WHO ARE EXPECTED TO  
22 PARTICIPATE IN THE INNOVATIVE LEARNING OPPORTUNITIES AND THE  
23 PARTICIPATION CAPACITY OF THE INNOVATIVE LEARNING OPPORTUNITIES  
24 PROPOSED IN THE INNOVATIVE LEARNING PLAN;

25           (d) A DESCRIPTION OF THE INNOVATIVE LEARNING PLAN THAT THE  
26 APPLICANT EXPECTS TO IMPLEMENT, INCLUDING AN EXPLANATION OF HOW  
27 IT ALIGNS WITH AT LEAST TWO OF THE PRINCIPLES SPECIFIED IN

1 SUBSECTION (2) OF THIS SECTION AND WHY THOSE PRINCIPLES WERE  
2 SELECTED OR AN EXPLANATION OF HOW IT MEETS THE RESEARCH-BASED  
3 DESIGN PRINCIPLES DESCRIBED IN SUBSECTION (3) OF THIS SECTION;

4 (e) INFORMATION THAT DEMONSTRATES THAT THE APPLICANT HAS  
5 CAPACITY AND WILLINGNESS TO IMPLEMENT THE INNOVATIVE LEARNING  
6 PLAN WITH INTEGRITY;

7 (f) AN EXPLANATION OF THE GOALS OF THE INNOVATIVE LEARNING  
8 PLAN AND HOW THE APPLICANT INTENDS TO MEASURE ATTAINMENT OF THE  
9 GOALS, THE DATA THAT THE APPLICANT WILL COLLECT TO MEASURE  
10 ATTAINMENT OF THE GOALS, AND THE SCHEDULE AND METHOD FOR  
11 COLLECTING DATA AND ASSESSING ATTAINMENT OF THE GOALS;

12 (g) IF APPLICABLE TO THE INNOVATIVE LEARNING PLAN, THE  
13 NUMBER OF PARTNERSHIPS BETWEEN COMMUNITY BUSINESSES OR  
14 ORGANIZATIONS AND THE APPLICANT THAT RELATE TO THE INNOVATIVE  
15 LEARNING OPPORTUNITIES INCLUDED IN THE PLAN AND THAT ARE IN PLACE  
16 AT THE TIME OF APPLICATION OR THAT THE APPLICANT EXPECTS TO ENTER  
17 INTO IN IMPLEMENTING THE PLAN; AND

18 (h) ANY ADDITIONAL INFORMATION REQUIRED BY RULE OF THE  
19 STATE BOARD.

20 (2) IN DESIGNING THE INNOVATIVE LEARNING PLAN, A LOCAL  
21 EDUCATION PROVIDER MAY DESIGN THE PLAN TO ALIGN WITH THE  
22 PRINCIPLES FOR STUDENT LEARNING AND TRANSITION IDENTIFIED BY THE  
23 EDUCATION LEADERSHIP COUNCIL, ENSURING THAT THE PLAN PROVIDES  
24 ALL STUDENTS WITH:

25 (a) INTENTIONALLY INCLUSIVE AND CULTURALLY RESPONSIVE  
26 EDUCATIONAL OPPORTUNITIES THAT PREPARE LEARNERS OF ALL  
27 BACKGROUNDS TO THRIVE AT EVERY CRITICAL TRANSITION FROM EARLY



1 CHILDHOOD AND THROUGH CAREERS;

2 (b) MULTIPLE VIABLE POSTSECONDARY PATHWAYS THAT ARE

3 EXPLORED AND VALUED BY ALL;

4 (c) THE OPPORTUNITY, SUPPORTED BY ADULTS, TO DIRECT THEIR

5 OWN LEARNING EXPERIENCES TO DEVELOP ESSENTIAL SKILLS; AND

6 (d) ROBUST CAREER AND WORKFORCE READINESS OPPORTUNITIES,

7 IN AND OUT OF SCHOOL, INCLUDING DURING THE SUMMER BREAK, THAT

8 ARE INFORMED BY INDUSTRY AND COMMUNITY TO ENSURE ALIGNMENT

9 FOR TRANSITION BEYOND HIGH SCHOOL.

10 (3) A LOCAL EDUCATION PROVIDER MAY BASE THE DESIGN OF ITS

11 INNOVATIVE LEARNING PLAN ON THE FOLLOWING RESEARCH-BASED

12 DESIGN PRINCIPLES, ENSURING THAT THE PLAN:

13 (a) IMPACTS A LARGE PERCENTAGE OF THE STUDENTS ENROLLED

14 BY THE LOCAL EDUCATION PROVIDER IN GRADES NINE THROUGH TWELVE

15 AND SIGNIFICANTLY IMPROVES STUDENT OUTCOMES;

16 (b) BUILDS PUBLIC TRUST THROUGH TRANSPARENCY, LOCAL

17 PARTNERSHIPS, AND SHARED LEARNING, AS EVIDENCED BY:

18 (I) THE NUMBER AND VARIETY OF COMMUNITY PARTNERSHIPS

19 THAT EXIST AT THE TIME OF APPLICATION AND THE DEMONSTRATED

20 EXPECTATION AND CAPACITY TO CREATE ADDITIONAL PARTNERSHIPS;

21 (II) THE CONTINUING ROLE THAT COMMUNITY PARTNERS,

22 INCLUDING INSTITUTIONS OF HIGHER EDUCATION AND BUSINESS,

23 INDUSTRY, AND AGRICULTURAL ENTERPRISES, WILL PLAY IN DEVELOPING

24 THE INNOVATIVE LEARNING OPPORTUNITIES;

25 (III) THE MECHANISMS THAT THE LOCAL EDUCATION PROVIDER

26 USES AND WILL USE TO SOLICIT AND SHARE INPUT FROM TEACHERS,

27 STUDENTS, PARENTS, AND OTHER COMMUNITY MEMBERS; AND

1 (IV) THE MECHANISMS THAT THE LOCAL EDUCATION PROVIDER  
2 USES AND WILL USE TO SHARE LEARNING WITH COMMUNITY MEMBERS;

3 (c) IDENTIFIES A STRONG THEORY OF CHANGE THAT JUSTIFIES WHY  
4 ANDEXPLAINS HOW THE PROPOSED INNOVATIVE LEARNING PLAN IS LIKELY  
5 TO RESULT IN A GREATER NUMBER OF STUDENTS PARTICIPATING IN  
6 EFFECTIVE, MEANINGFUL INNOVATIVE LEARNING OPPORTUNITIES;

7 (d) DESCRIBES THOROUGHLY AND CLEARLY THE PLAN FOR  
8 COLLECTING THE EVIDENCE THAT THE LOCAL EDUCATION PROVIDER WILL  
9 USE TO EVALUATE THE EFFECTIVENESS OF THE THEORY OF CHANGE; AND

10 (e) CREATES A SCHEDULE AND MECHANISM FOR EVALUATING THE  
11 COLLECTED EVIDENCE AND COMMITTING TO ADAPT IN RESPONSE TO  
12 TRENDS IN THE EVIDENCE TO IMPROVE THE INNOVATIVE LEARNING PLAN.

13 **22-35.6-105. High school innovative learning pilot program -**  
14 **department - state board - duties - legislative declaration.** (1) NO  
15 LATER THAN NOVEMBER 1, 2019, AND, SUBJECT TO AVAILABLE  
16 APPROPRIATIONS, NO LATER THAN NOVEMBER 1 EACH YEAR THEREAFTER,  
17 THE DEPARTMENT SHALL ISSUE A REQUEST FOR PROPOSALS INVITING  
18 LOCAL EDUCATION PROVIDERS TO APPLY TO PARTICIPATE IN THE PILOT  
19 PROGRAM IN THE FOLLOWING BUDGET YEAR. A LOCAL EDUCATION  
20 PROVIDER THAT CHOOSES TO APPLY MUST SUBMIT THE APPLICATION, AS  
21 DESCRIBED IN SECTION 22-35.6-104, TO THE DEPARTMENT NO LATER THAN  
22 THE FOLLOWING JANUARY 15. SUBJECT TO AVAILABLE APPROPRIATIONS,  
23 THE STATE BOARD SHALL SELECT THE PARTICIPATING APPLICANTS NO  
24 LATER THAN THE FOLLOWING MARCH 1.

25 (2) THE DEPARTMENT SHALL REVIEW THE APPLICATIONS RECEIVED  
26 AND RECOMMEND TO THE STATE BOARD APPLICANTS TO PARTICIPATE IN  
27 THE PILOT PROGRAM. THE STATE BOARD, TAKING INTO ACCOUNT THE

1 RECOMMENDATIONS OF THE DEPARTMENT, SHALL SELECT THE APPLICANTS  
2 TO PARTICIPATE IN THE PILOT PROGRAM BEGINNING IN THE 2020-21  
3 BUDGET YEAR. IN RECOMMENDING AND SELECTING THE LOCAL EDUCATION  
4 PROVIDERS TO PARTICIPATE IN THE PILOT PROGRAM, THE DEPARTMENT  
5 AND THE STATE BOARD SHALL CONSIDER:

6 (a) THE POTENTIAL IMPACT OF THE INNOVATIVE LEARNING PLAN,  
7 ENSURING THAT THE PLAN FOR EACH SELECTED LOCAL EDUCATION  
8 PROVIDER IS DESIGNED TO IMPACT AT LEAST TWENTY PERCENT OF THE  
9 STUDENTS ENROLLED BY THE LOCAL EDUCATION PROVIDER IN GRADES  
10 NINE THROUGH TWELVE;

11 (b) THE QUALITY OF THE INNOVATIVE LEARNING PLAN AND THE  
12 LIKELIHOOD THAT IT WILL RESULT IN MEANINGFUL INNOVATIVE LEARNING  
13 OPPORTUNITIES FOR STUDENTS THAT WILL SIGNIFICANTLY SUPPORT THEM  
14 IN THE TRANSITION FROM HIGH SCHOOL TO POSTSECONDARY EDUCATION  
15 OR THE WORKFORCE; AND

16 (c) THE DEGREE TO WHICH THE INNOVATIVE LEARNING PLAN  
17 ALIGNS WITH AT LEAST TWO OF THE PRINCIPLES SPECIFIED IN SECTION  
18 22-35.6-104 (2) OR MEETS THE RESEARCH-BASED DESIGN PRINCIPLES  
19 DESCRIBED IN SECTION 22-35.6-104 (3).

20 (3) (a) FOR THE 2020-21 BUDGET YEAR, SUBJECT TO AVAILABLE  
21 APPROPRIATIONS, THE STATE BOARD SHALL SELECT APPLICANTS TO  
22 PARTICIPATE IN THE PILOT PROGRAM AS FOLLOWS:

23 (I) FORTY PERCENT OF THE SELECTED APPLICANTS MUST ENROLL  
24 AT LEAST ONE THOUSAND BUT FEWER THAN FIVE THOUSAND STUDENTS IN  
25 GRADES NINE THROUGH TWELVE; AND

26 (II) SIXTY PERCENT OF THE SELECTED APPLICANTS MUST ENROLL  
27 FEWER THAN ONE THOUSAND STUDENTS IN GRADES NINE THROUGH

1 TWELVE.

2 (b) BEGINNING IN THE 2021-22 BUDGET YEAR, IT IS THE INTENT OF  
3 THE GENERAL ASSEMBLY TO INCREASE ANNUALLY THE NUMBER OF LOCAL  
4 EDUCATION PROVIDERS THAT PARTICIPATE IN THE PILOT PROGRAM AND,  
5 BY THE 2025-26 BUDGET YEAR, TO ACHIEVE ONE HUNDRED PERCENT  
6 PARTICIPATION BY LOCAL EDUCATION PROVIDERS THAT MEET THE  
7 REQUIREMENTS OF THIS ARTICLE 35.6.

8 (4) THE DEPARTMENT SHALL ANNUALLY REVIEW THE  
9 INFORMATION RECEIVED PURSUANT TO SECTION 22-35.6-107(1) FROM THE  
10 LOCAL EDUCATION PROVIDERS THAT PARTICIPATE IN THE PILOT PROGRAM.  
11 THE STATE BOARD SHALL AUTOMATICALLY RENEW A LOCAL EDUCATION  
12 PROVIDER'S PARTICIPATION IN THE PILOT PROGRAM IF THE DEPARTMENT  
13 FINDS THAT THE INFORMATION DEMONSTRATES THAT:

14 (a) THE INNOVATIVE LEARNING PLAN AND THE INNOVATIVE  
15 LEARNING OPPORTUNITIES PROVIDED THROUGH THE PLAN MEET THE  
16 CRITERIA DESCRIBED IN SUBSECTION (2) OF THIS SECTION; AND

17 (b) THE NUMBER OF STUDENTS ENROLLED IN GRADES NINE  
18 THROUGH TWELVE WHO ARE PARTICIPATING IN INNOVATIVE LEARNING  
19 OPPORTUNITIES INCREASED OVER THE PRECEDING BUDGET YEAR OR ONE  
20 HUNDRED PERCENT OF THE STUDENTS ENROLLED IN GRADES NINE  
21 THROUGH TWELVE ARE PARTICIPATING IN INNOVATIVE LEARNING  
22 OPPORTUNITIES.

23 (5) (a) BY SEPTEMBER 1, 2019, THE DEPARTMENT SHALL ISSUE A  
24 REQUEST FOR PROPOSALS TO CONTRACT WITH A STATEWIDE NONPROFIT  
25 ENTITY THAT HAS EXPERTISE IN SYSTEM INNOVATION AND CAREER AND  
26 POSTSECONDARY READINESS TO ASSIST IN IMPLEMENTING THE PILOT  
27 PROGRAM. THE DEPARTMENT SHALL REVIEW THE PROPOSALS RECEIVED

1 AND CONTRACT WITH THE ENTITY BY JANUARY 1, 2020.

2 (b) THE CONTRACT ENTITY, AT A MINIMUM, SHALL:

3 (I) PROVIDE TECHNICAL ASSISTANCE TO RURAL LOCAL EDUCATION  
4 PROVIDERS AND SMALL SUBURBAN SCHOOL DISTRICTS THAT CHOOSE TO  
5 APPLY TO PARTICIPATE IN THE PILOT PROGRAM INDIVIDUALLY, AS A  
6 GROUP, OR THROUGH A BOARD OF COOPERATIVE SERVICES;

7 (II) PROVIDE TO RURAL LOCAL EDUCATION PROVIDERS AND SMALL  
8 SUBURBAN SCHOOL DISTRICTS THAT PARTICIPATE IN THE PILOT PROGRAM  
9 TECHNICAL ASSISTANCE IN IMPLEMENTING THEIR INNOVATIVE LEARNING  
10 PLANS;

11 (III) ASSIST LOCAL EDUCATION PROVIDERS THAT RECEIVE GRANTS,  
12 AS DESCRIBED IN SECTION 22-35.6-106, TO CREATE AND IMPLEMENT  
13 INNOVATIVE LEARNING PLANS;

14 (IV) FACILITATE COMMUNICATIONS AMONG AND CREATION OF A  
15 NETWORK OF ALL LOCAL EDUCATION PROVIDERS THAT PARTICIPATE IN THE  
16 PILOT PROGRAM AND THE GRANT PROGRAM TO ASSIST IN DOCUMENTING  
17 THE STRATEGIES USED IN IMPLEMENTING THE PLANS AND IN PROVIDING  
18 INNOVATIVE LEARNING OPPORTUNITIES;

19 (V) ASSIST THE LOCAL EDUCATION PROVIDERS THAT PARTICIPATE  
20 IN THE PILOT PROGRAM AND THE GRANT PROGRAM AND THE DEPARTMENT  
21 IN EVALUATING THE EFFECTIVENESS AND MEASURING THE SUCCESS OF  
22 EACH LOCAL EDUCATION PROVIDER'S INNOVATIVE LEARNING PLAN; AND

23 (VI) ASSIST THE DEPARTMENT IN PREPARING THE REPORT  
24 REQUIRED IN SECTION 22-35.6-107.

25 **22-35.6-106. Innovative learning plan grants - criteria -**  
26 **awards.** (1) A LOCAL EDUCATION PROVIDER THAT DOES NOT ENROLL ANY  
27 PART-TIME PUPILS IN GRADES NINE THROUGH TWELVE MAY APPLY TO THE

1 DEPARTMENT FOR A GRANT TO CREATE AND IMPLEMENT AN INNOVATIVE  
2 LEARNING PLAN. A LOCAL EDUCATION PROVIDER MAY APPLY FOR A GRANT  
3 BY SUBMITTING AN APPLICATION TO THE DEPARTMENT IN ACCORDANCE  
4 WITH RULES ADOPTED BY THE STATE BOARD. THE DEPARTMENT SHALL  
5 REVIEW THE APPLICATIONS AND RECOMMEND TO THE STATE BOARD THE  
6 APPLICANTS THAT SHOULD RECEIVE A GRANT. TAKING INTO ACCOUNT THE  
7 RECOMMENDATIONS OF THE DEPARTMENT AND SUBJECT TO AVAILABLE  
8 APPROPRIATIONS, THE STATE BOARD SHALL ANNUALLY AWARD OR RENEW  
9 UP TO FIVE GRANTS BEGINNING IN THE 2019-20 BUDGET YEAR. IN  
10 RECOMMENDING AND SELECTING GRANT RECIPIENTS, THE DEPARTMENT  
11 AND THE STATE BOARD AT A MINIMUM SHALL CONSIDER THE RESOURCES  
12 AVAILABLE TO THE APPLYING LOCAL EDUCATION PROVIDER AND THE  
13 NUMBER OF STUDENTS ENROLLED BY THE APPLYING LOCAL EDUCATION  
14 PROVIDER IN GRADES NINE THROUGH TWELVE. EACH GRANT RECIPIENT  
15 MUST USE THE GRANT MONEY TO CREATE AND IMPLEMENT THE  
16 INNOVATIVE LEARNING PROGRAM AND MAY REQUEST ASSISTANCE FROM  
17 THE CONTRACT ENTITY DESCRIBED IN SECTION 22-35.6-105 (5).

18 (2) THE DEPARTMENT SHALL ANNUALLY REVIEW THE  
19 IMPLEMENTATION OF EACH GRANT RECIPIENT'S INNOVATIVE LEARNING  
20 PLAN. THE DEPARTMENT SHALL RENEW THE GRANT FOR AN ADDITIONAL  
21 BUDGET YEAR IF THE DEPARTMENT, BASED ON THE INFORMATION  
22 SUBMITTED BY THE GRANT RECIPIENT PURSUANT TO SECTION 22-35.6-107,  
23 DETERMINES THAT THE GRANT RECIPIENT IS SUCCESSFUL IN PROVIDING  
24 INNOVATIVE LEARNING OPPORTUNITIES FOR A SIGNIFICANT PERCENTAGE  
25 OF THE STUDENTS ENROLLED IN GRADES NINE THROUGH TWELVE. A GRANT  
26 MAY BE RENEWED NO MORE THAN TWICE.

27 (3) THE GENERAL ASSEMBLY SHALL ANNUALLY APPROPRIATE

1 MONEY TO THE DEPARTMENT TO IMPLEMENT THIS SECTION. EACH GRANT  
2 MUST BE IN THE AMOUNT OF THIRTY THOUSAND DOLLARS.

3 **22-35.6-107. Report - rules.** (1) EACH LOCAL EDUCATION  
4 PROVIDER THAT PARTICIPATES IN THE PILOT PROGRAM OR RECEIVES A  
5 GRANT PURSUANT TO SECTION 22-35.6-106 SHALL ANNUALLY SUBMIT  
6 INFORMATION DESCRIBED IN SUBSECTION (2) OF THIS SECTION TO THE  
7 DEPARTMENT IN ACCORDANCE WITH THE TIME FRAMES ESTABLISHED BY  
8 RULE OF THE STATE BOARD. IF A LOCAL EDUCATION PROVIDER IS  
9 PARTICIPATING AS A GROUP OF LOCAL EDUCATION PROVIDERS OR  
10 THROUGH A BOARD OF COOPERATIVE SERVICES, THE GROUP OR THE BOARD  
11 OF COOPERATIVE SERVICES MAY SUBMIT THE INFORMATION JOINTLY.

12 (2) EACH PARTICIPATING LOCAL EDUCATION PROVIDER SHALL  
13 SUBMIT THE FOLLOWING INFORMATION:

14 (a) THE TYPES OF INNOVATIVE LEARNING OPPORTUNITIES  
15 PROVIDED THROUGH IMPLEMENTATION OF THE INNOVATIVE LEARNING  
16 PLAN;

17 (b) THE NUMBER AND PERCENTAGE OF STUDENTS ENROLLED IN  
18 GRADES NINE THROUGH TWELVE WHO PARTICIPATE IN INNOVATIVE  
19 LEARNING OPPORTUNITIES, IN TOTAL AND DISAGGREGATED BY STUDENT  
20 GROUP, AS DEFINED IN SECTION 22-11-103, WHERE POSSIBLE;

21 (c) THE NUMBER AND PERCENTAGE OF STUDENTS ENROLLED IN  
22 GRADES NINE THROUGH TWELVE WHO PARTICIPATE IN INNOVATIVE  
23 LEARNING OPPORTUNITIES AS COMPARED TO THE NUMBER AND  
24 PERCENTAGE WHO PARTICIPATED BEFORE THE LOCAL EDUCATION  
25 PROVIDER IMPLEMENTED THE INNOVATIVE LEARNING PLAN AND AS  
26 COMPARED TO THE NUMBER AND PERCENTAGE WHO PARTICIPATED IN THE  
27 PRECEDING REPORTING PERIOD;

1 (d) A SUMMARY, NONIDENTIFYING DESCRIPTION OF THE OUTCOMES  
2 ACHIEVED BY STUDENTS WHO PARTICIPATE IN THE INNOVATIVE LEARNING  
3 OPPORTUNITIES;

4 (e) A SUMMARY DESCRIPTION OF THE CHALLENGES ENCOUNTERED  
5 IN IMPLEMENTING THE INNOVATIVE LEARNING OPPORTUNITIES AND THE  
6 MANNER IN WHICH THE LOCAL EDUCATION PROVIDER ADDRESSED THE  
7 CHALLENGES, INCLUDING EXPLANATION OF THE STRATEGIES AND  
8 PROGRAMS THAT WERE SUCCESSFUL AND THOSE THAT WERE NOT; AND

9 (f) ANY ADDITIONAL INFORMATION REQUESTED BY THE  
10 DEPARTMENT TO ASSIST IN MEASURING THE EFFECTIVENESS AND SUCCESS  
11 OF THE PILOT PROGRAM AND THE GRANT PROGRAM.

12 (3)(a) THE DEPARTMENT, WITH ASSISTANCE FROM THE CONTRACT  
13 ENTITY DESCRIBED IN SECTION 22-35.6-105 (5), SHALL PREPARE AN  
14 ANNUAL SUMMARY REPORT OF THE INFORMATION RECEIVED PURSUANT TO  
15 SUBSECTION (2) OF THIS SECTION AND AN EVALUATION OF THE  
16 EFFECTIVENESS AND SUCCESS OF THE PILOT PROGRAM AND THE GRANT  
17 PROGRAM IN INCREASING THE NUMBER OF STUDENTS ENROLLED IN GRADES  
18 NINE THROUGH TWELVE WHO PARTICIPATE IN MEANINGFUL INNOVATIVE  
19 LEARNING OPPORTUNITIES. THE DEPARTMENT SHALL SUBMIT THE REPORT  
20 TO THE STATE BOARD NO LATER THAN JULY 1, 2022, AND NO LATER THAN  
21 JULY 1 EACH YEAR THEREAFTER, AND SHALL PROVIDE THE REPORT TO  
22 LOCAL EDUCATION PROVIDERS NO LATER THAN SEPTEMBER 1, 2022, AND  
23 NO LATER THAN SEPTEMBER 1 EACH YEAR THEREAFTER.

24 (b) NOTWITHSTANDING THE PROVISIONS OF SECTION 24-1-136  
25 (11)(a)(I), BEGINNING WITH THE REPORT THAT THE DEPARTMENT MAKES  
26 PURSUANT TO SECTION 2-7-203 IN DECEMBER OF 2022, THE DEPARTMENT  
27 SHALL ANNUALLY PROVIDE THE REPORT PREPARED PURSUANT TO



1 SUBSECTION (3)(a) OF THIS SECTION TO THE JOINT EDUCATION COMMITTEE  
2 OF THE GENERAL ASSEMBLY.

3 **22-35.6-108. Repeal of article.** THIS ARTICLE 35.6 IS REPEALED,  
4 EFFECTIVE JULY 1, 2025.

5 **SECTION 2. Safety clause.** The general assembly hereby finds,  
6 determines, and declares that this act is necessary for the immediate  
7 preservation of the public peace, health, and safety.