

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

REREVISED

*This Version Includes All Amendments
Adopted in the Second House*

LLS NO. 19-1005.01 Julie Pelegrin x2700

SENATE BILL 19-216

SENATE SPONSORSHIP

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Senate Committees

Education
Appropriations

House Committees

Education
Appropriations

HOUSE
3rd Reading Unamended
April 29, 2019

A BILL FOR AN ACT

101 **CONCERNING INCENTIVES FOR LOCAL EDUCATION PROVIDERS TO**
102 **PROVIDE INNOVATIVE LEARNING OPPORTUNITIES FOR HIGH**
103 **SCHOOL STUDENTS, AND, IN CONNECTION THEREWITH, MAKING**
104 **AN APPROPRIATION.**

HOUSE
2nd Reading Unamended
April 27, 2019

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>.)

SENATE
3rd Reading Unamended
April 19, 2019

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

SENATE
Amended 2nd Reading
April 18, 2019

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.

learning opportunities to students enrolled in grades 9 through 12 (high school students). Each local education provider that is selected to 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.

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**

1 **High School Innovative Learning Pilot Program**

2 **22-35.6-101. Legislative declaration.** THE GENERAL ASSEMBLY

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

1 PROVIDERS TO COUNT THE STUDENTS WHO ARE ENROLLED IN HIGH SCHOOL
2 AND ARE PARTICIPATING IN INNOVATIVE LEARNING OPPORTUNITIES AS
3 FULL-TIME PUPILS, REGARDLESS OF THE ACTUAL AMOUNT OF TIME THE
4 STUDENTS MAY SPEND IN THE CLASSROOM.

5 **22-35.6-102. Definitions.** AS USED IN THIS ARTICLE 35.6, UNLESS
6 THE CONTEXT OTHERWISE REQUIRES:

7 (1) "COMMISSIONER" MEANS THE COMMISSIONER OF EDUCATION
8 APPOINTED BY THE STATE BOARD OF EDUCATION PURSUANT TO SECTION
9 1 OF ARTICLE IX OF THE STATE CONSTITUTION.

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

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

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

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

1 (6) "LOCAL EDUCATION PROVIDER" MEANS A SCHOOL DISTRICT
2 ORGANIZED PURSUANT TO ARTICLE 30 OF THIS TITLE 22, A BOARD OF
3 COOPERATIVE SERVICES CREATED PURSUANT TO ARTICLE 5 OF THIS TITLE
4 22, A CHARTER SCHOOL AUTHORIZED BY A SCHOOL DISTRICT PURSUANT TO
5 PART 1 OF ARTICLE 30.5 OF THIS TITLE 22, OR AN INSTITUTE CHARTER
6 SCHOOL AUTHORIZED BY THE STATE CHARTER SCHOOL INSTITUTE
7 PURSUANT TO PART 5 OF ARTICLE 30.5 OF THIS TITLE 22.

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

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

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

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

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

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

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

27 **22-35.6-103. High school innovative learning pilot program -**

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

22 (2) THE STATE BOARD SHALL PROMULGATE RULES AS NECESSARY
23 TO IMPLEMENT THE PILOT PROGRAM, INCLUDING AT A MINIMUM,
24 APPLICATION TIMELINES AND ANY INFORMATION TO BE INCLUDED IN THE
25 APPLICATION IN ADDITION TO THE INFORMATION REQUIRED IN SECTION
26 22-35.6-104 (1). IN ADOPTING RULES, THE STATE BOARD SHALL ENSURE,
27 TO THE EXTENT POSSIBLE, THAT A LOCAL EDUCATION PROVIDER THAT IS

1 A SCHOOL DISTRICT THAT ENROLLS FEWER THAN TWO THOUSAND
2 STUDENTS, A DISTRICT CHARTER SCHOOL, OR AN INSTITUTE CHARTER
3 SCHOOL MAY SUBMIT A SIMPLIFIED APPLICATION.

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

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

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

24 (c) THE NUMBER OF STUDENTS WHO ARE EXPECTED TO
25 PARTICIPATE IN THE INNOVATIVE LEARNING OPPORTUNITIES AND THE
26 PARTICIPATION CAPACITY OF THE INNOVATIVE LEARNING OPPORTUNITIES
27 PROPOSED IN THE INNOVATIVE LEARNING PLAN;

1 (d) A DESCRIPTION OF THE INNOVATIVE LEARNING PLAN THAT THE
2 APPLICANT EXPECTS TO IMPLEMENT, INCLUDING AN EXPLANATION OF HOW
3 IT ALIGNS WITH AT LEAST TWO OF THE PRINCIPLES SPECIFIED IN
4 SUBSECTION (2) OF THIS SECTION AND WHY THOSE PRINCIPLES WERE
5 SELECTED OR AN EXPLANATION OF HOW IT MEETS THE RESEARCH-BASED
6 DESIGN PRINCIPLES DESCRIBED IN SUBSECTION (3) OF THIS SECTION;

7 (e) INFORMATION THAT DEMONSTRATES THAT THE APPLICANT HAS
8 CAPACITY AND WILLINGNESS TO IMPLEMENT THE INNOVATIVE LEARNING
9 PLAN WITH INTEGRITY;

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

15 (g) IF APPLICABLE TO THE INNOVATIVE LEARNING PLAN, THE
16 PARTNERSHIPS BETWEEN COMMUNITY, BUSINESS, OR OTHER
17 ORGANIZATIONS AND THE APPLICANT THAT RELATE TO THE INNOVATIVE
18 LEARNING OPPORTUNITIES INCLUDED IN THE PLAN AND THAT ARE IN PLACE
19 AT THE TIME OF APPLICATION OR THAT THE APPLICANT EXPECTS TO ENTER
20 INTO IN IMPLEMENTING THE PLAN; AND

21 (h) ANY ADDITIONAL INFORMATION REQUIRED BY RULE OF THE
22 STATE BOARD.

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

1 (a) INTENTIONALLY INCLUSIVE AND CULTURALLY RESPONSIVE
2 EDUCATIONAL OPPORTUNITIES THAT PREPARE LEARNERS OF ALL
3 BACKGROUNDS TO THRIVE AT EVERY CRITICAL TRANSITION FROM EARLY
4 CHILDHOOD AND THROUGH CAREERS;

5 (b) MULTIPLE VIABLE POSTSECONDARY PATHWAYS THAT ARE
6 EXPLORED AND VALUED BY ALL;

7 (c) THE OPPORTUNITY, SUPPORTED BY ADULTS, TO DIRECT THEIR
8 OWN LEARNING EXPERIENCES TO DEVELOP ESSENTIAL SKILLS; AND

9 (d) ROBUST CAREER AND WORKFORCE READINESS OPPORTUNITIES,
10 IN AND OUT OF SCHOOL, INCLUDING DURING THE SUMMER BREAK, THAT
11 ARE INFORMED BY INDUSTRY AND COMMUNITY TO ENSURE ALIGNMENT
12 FOR TRANSITION BEYOND HIGH SCHOOL.

13 (3) A LOCAL EDUCATION PROVIDER MAY BASE THE DESIGN OF ITS
14 INNOVATIVE LEARNING PLAN ON THE FOLLOWING RESEARCH-BASED
15 DESIGN PRINCIPLES, ENSURING THAT THE PLAN:

16 (a) IMPACTS A LARGE PERCENTAGE OF THE STUDENTS ENROLLED
17 BY THE LOCAL EDUCATION PROVIDER IN GRADES NINE THROUGH TWELVE
18 AND SIGNIFICANTLY IMPROVES STUDENT OUTCOMES;

19 (b) BUILDS PUBLIC TRUST THROUGH TRANSPARENCY, LOCAL
20 PARTNERSHIPS, AND SHARED LEARNING, AS EVIDENCED BY:

21 (I) THE NUMBER AND VARIETY OF COMMUNITY PARTNERSHIPS
22 THAT EXIST AT THE TIME OF APPLICATION AND THE DEMONSTRATED
23 EXPECTATION AND CAPACITY TO CREATE ADDITIONAL PARTNERSHIPS;

24 (II) THE CONTINUING ROLE THAT COMMUNITY PARTNERS,
25 INCLUDING INSTITUTIONS OF HIGHER EDUCATION AND BUSINESS,
26 INDUSTRY, AND AGRICULTURAL ENTERPRISES, WILL PLAY IN DEVELOPING
27 THE INNOVATIVE LEARNING OPPORTUNITIES;

1 (III) THE MECHANISMS THAT THE LOCAL EDUCATION PROVIDER
2 USES AND WILL USE TO SOLICIT AND SHARE INPUT FROM TEACHERS,
3 STUDENTS, PARENTS, AND OTHER COMMUNITY MEMBERS; AND

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

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

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

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

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

1 (2) THE DEPARTMENT SHALL REVIEW THE APPLICATIONS RECEIVED
2 AND RECOMMEND TO THE STATE BOARD APPLICANTS TO PARTICIPATE IN
3 THE PILOT PROGRAM. THE STATE BOARD, TAKING INTO ACCOUNT THE
4 RECOMMENDATIONS OF THE DEPARTMENT, SHALL SELECT THE APPLICANTS
5 TO PARTICIPATE IN THE PILOT PROGRAM BEGINNING IN THE 2020-21
6 BUDGET YEAR. IN RECOMMENDING AND SELECTING THE LOCAL EDUCATION
7 PROVIDERS TO PARTICIPATE IN THE PILOT PROGRAM, THE DEPARTMENT
8 AND THE STATE BOARD SHALL CONSIDER:

9 (a) THE PERCENTAGE OF STUDENTS ENROLLED BY THE LOCAL
10 EDUCATION PROVIDER IN GRADES NINE THROUGH TWELVE WHO ARE
11 REASONABLY EXPECTED TO PARTICIPATE IN INNOVATIVE LEARNING
12 OPPORTUNITIES;

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

18 (c) THE DEGREE TO WHICH THE INNOVATIVE LEARNING PLAN
19 ALIGNS WITH AT LEAST TWO OF THE PRINCIPLES SPECIFIED IN SECTION
20 22-35.6-104 (2) OR MEETS THE RESEARCH-BASED DESIGN PRINCIPLES
21 DESCRIBED IN SECTION 22-35.6-104 (3).

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

25 (1) OF THOSE APPLICANTS IN WHICH ANY OF THE STUDENTS
26 ENROLLED IN GRADES NINE THROUGH TWELVE IN THE PRECEDING BUDGET
27 YEAR WERE ENROLLED AS PART-TIME STUDENTS, THE STATE BOARD SHALL

1 SELECT UP TO FIVE APPLICANTS, EACH OF WHICH ENROLLS FEWER THAN
2 FIVE THOUSAND STUDENTS IN GRADES NINE THROUGH TWELVE; AND

3 (II) OF THOSE APPLICANTS IN WHICH ALL OF THE STUDENTS
4 ENROLLED IN GRADES NINE THROUGH TWELVE IN THE PRECEDING BUDGET
5 YEAR WERE ENROLLED AS FULL-TIME STUDENTS, THE STATE BOARD SHALL
6 SELECT EACH APPLICANT THAT ADOPTS AN INNOVATIVE LEARNING PLAN
7 THAT THE STATE BOARD DETERMINES:

8 (A) IS LIKELY TO RESULT IN MEANINGFUL INNOVATIVE LEARNING
9 OPPORTUNITIES FOR STUDENTS THAT WILL SIGNIFICANTLY SUPPORT THEM
10 IN THE TRANSITION FROM HIGH SCHOOL TO POSTSECONDARY EDUCATION
11 OR THE WORKFORCE; AND

12 (B) ALIGNS WITH AT LEAST TWO OF THE PRINCIPLES SPECIFIED IN
13 SECTION 22-35.6-104 (2) OR MEETS THE RESEARCH-BASED DESIGN
14 PRINCIPLES DESCRIBED IN SECTION 22-35.6-104 (3). _____

15 (b) BEGINNING IN THE 2021-22 BUDGET YEAR, IT IS THE INTENT OF
16 THE GENERAL ASSEMBLY TO INCREASE ANNUALLY THE NUMBER OF LOCAL
17 EDUCATION PROVIDERS THAT PARTICIPATE IN THE PILOT PROGRAM AND,
18 BY THE 2025-26 BUDGET YEAR, TO ACHIEVE ONE HUNDRED PERCENT
19 PARTICIPATION BY LOCAL EDUCATION PROVIDERS THAT MEET THE
20 REQUIREMENTS OF THIS ARTICLE 35.6.

21 (4) THE DEPARTMENT SHALL ANNUALLY REVIEW THE
22 INFORMATION RECEIVED PURSUANT TO SECTION 22-35.6-106(1) FROM THE
23 LOCAL EDUCATION PROVIDERS THAT PARTICIPATE IN THE PILOT PROGRAM.
24 THE STATE BOARD SHALL AUTOMATICALLY RENEW A LOCAL EDUCATION
25 PROVIDER'S PARTICIPATION IN THE PILOT PROGRAM IF THE DEPARTMENT
26 FINDS THAT THE INFORMATION DEMONSTRATES THAT:

27 (a) THE INNOVATIVE LEARNING PLAN AND THE INNOVATIVE

1 LEARNING OPPORTUNITIES PROVIDED THROUGH THE PLAN MEET THE
2 CRITERIA DESCRIBED IN SUBSECTION (2) OF THIS SECTION; AND

3 (b) THE NUMBER OF STUDENTS ENROLLED IN GRADES NINE
4 THROUGH TWELVE WHO ARE PARTICIPATING IN INNOVATIVE LEARNING
5 OPPORTUNITIES INCREASED OVER THE PRECEDING BUDGET YEAR OR ONE
6 HUNDRED PERCENT OF THE STUDENTS ENROLLED IN GRADES NINE
7 THROUGH TWELVE ARE PARTICIPATING IN INNOVATIVE LEARNING
8 OPPORTUNITIES.

9 (5) (a) BY SEPTEMBER 1, 2019, THE DEPARTMENT SHALL ISSUE A
10 REQUEST FOR PROPOSALS TO CONTRACT WITH A STATEWIDE NONPROFIT
11 ENTITY THAT HAS EXPERTISE IN SYSTEM INNOVATION AND CAREER AND
12 POSTSECONDARY READINESS TO ASSIST IN IMPLEMENTING THE PILOT
13 PROGRAM. THE DEPARTMENT SHALL REVIEW THE PROPOSALS RECEIVED
14 AND CONTRACT WITH THE ENTITY BY JANUARY 1, 2020.

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

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

20 (II) PROVIDE TO RURAL LOCAL EDUCATION PROVIDERS AND SMALL
21 SUBURBAN SCHOOL DISTRICTS THAT PARTICIPATE IN THE PILOT PROGRAM
22 TECHNICAL ASSISTANCE IN IMPLEMENTING THEIR INNOVATIVE LEARNING
23 PLANS;

24 ==
25 (III) FACILITATE COMMUNICATIONS AMONG AND CREATION OF A
26 NETWORK OF ALL LOCAL EDUCATION PROVIDERS THAT PARTICIPATE IN THE
27 PILOT PROGRAM == TO ASSIST IN DOCUMENTING THE STRATEGIES USED IN

1 IMPLEMENTING THE PLANS AND IN PROVIDING INNOVATIVE LEARNING
2 OPPORTUNITIES;

3 (IV) ASSIST THE LOCAL EDUCATION PROVIDERS THAT PARTICIPATE
4 IN THE PILOT PROGRAM AND THE DEPARTMENT IN EVALUATING THE
5 EFFECTIVENESS AND MEASURING THE SUCCESS OF EACH LOCAL EDUCATION
6 PROVIDER'S INNOVATIVE LEARNING PLAN; AND

7 (V) ASSIST THE DEPARTMENT IN PREPARING THE REPORT REQUIRED
8 IN SECTION 22-35.6-106.

9

10 22-35.6-106. Report - rules. (1) EACH LOCAL EDUCATION
11 PROVIDER THAT PARTICIPATES IN THE PILOT PROGRAM SHALL
12 ANNUALLY SUBMIT INFORMATION DESCRIBED IN SUBSECTION (2) OF THIS
13 SECTION TO THE DEPARTMENT IN ACCORDANCE WITH THE TIME FRAMES
14 ESTABLISHED BY RULE OF THE STATE BOARD. IF A LOCAL EDUCATION
15 PROVIDER IS PARTICIPATING AS A GROUP OF LOCAL EDUCATION PROVIDERS
16 OR THROUGH A BOARD OF COOPERATIVE SERVICES, THE GROUP OR THE
17 BOARD OF COOPERATIVE SERVICES MAY SUBMIT THE INFORMATION
18 JOINTLY.

19 (2) EACH PARTICIPATING LOCAL EDUCATION PROVIDER SHALL
20 SUBMIT THE FOLLOWING INFORMATION:

21 (a) THE TYPES OF INNOVATIVE LEARNING OPPORTUNITIES
22 PROVIDED THROUGH IMPLEMENTATION OF THE INNOVATIVE LEARNING
23 PLAN;

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

1 (c) THE NUMBER AND PERCENTAGE OF STUDENTS ENROLLED IN
2 GRADES NINE THROUGH TWELVE WHO PARTICIPATE IN INNOVATIVE
3 LEARNING OPPORTUNITIES AS COMPARED TO THE NUMBER AND
4 PERCENTAGE WHO PARTICIPATED BEFORE THE LOCAL EDUCATION
5 PROVIDER IMPLEMENTED THE INNOVATIVE LEARNING PLAN AND AS
6 COMPARED TO THE NUMBER AND PERCENTAGE WHO PARTICIPATED IN THE
7 PRECEDING REPORTING PERIOD;

8 (d) A SUMMARY, NONIDENTIFYING DESCRIPTION OF THE OUTCOMES
9 ACHIEVED BY STUDENTS WHO PARTICIPATE IN THE INNOVATIVE LEARNING
10 OPPORTUNITIES;

11 (e) A SUMMARY DESCRIPTION OF THE CHALLENGES ENCOUNTERED
12 IN IMPLEMENTING THE INNOVATIVE LEARNING OPPORTUNITIES AND THE
13 MANNER IN WHICH THE LOCAL EDUCATION PROVIDER ADDRESSED THE
14 CHALLENGES, INCLUDING EXPLANATION OF THE STRATEGIES AND
15 PROGRAMS THAT WERE SUCCESSFUL AND THOSE THAT WERE NOT; AND

16 (f) ANY ADDITIONAL INFORMATION REQUESTED BY THE
17 DEPARTMENT TO ASSIST IN MEASURING THE EFFECTIVENESS AND SUCCESS
18 OF THE PILOT PROGRAM.

19 (3) (a) THE DEPARTMENT, WITH ASSISTANCE FROM THE CONTRACT
20 ENTITY DESCRIBED IN SECTION 22-35.6-105 (5), SHALL PREPARE AN
21 ANNUAL SUMMARY REPORT OF THE INFORMATION RECEIVED PURSUANT TO
22 SUBSECTION (2) OF THIS SECTION AND AN EVALUATION OF THE
23 EFFECTIVENESS AND SUCCESS OF THE PILOT PROGRAM _____ IN
24 INCREASING THE NUMBER OF STUDENTS ENROLLED IN GRADES NINE
25 THROUGH TWELVE WHO PARTICIPATE IN MEANINGFUL INNOVATIVE
26 LEARNING OPPORTUNITIES. THE DEPARTMENT SHALL SUBMIT THE REPORT
27 TO THE STATE BOARD NO LATER THAN JULY 1, 2022, AND NO LATER THAN

1 JULY 1 EACH YEAR THEREAFTER, AND SHALL PROVIDE THE REPORT TO
2 LOCAL EDUCATION PROVIDERS NO LATER THAN SEPTEMBER 1, 2022, AND
3 NO LATER THAN SEPTEMBER 1 EACH YEAR THEREAFTER.

4 (b) NOTWITHSTANDING THE PROVISIONS OF SECTION 24-1-136
5 (11)(a)(I), BEGINNING WITH THE REPORT THAT THE DEPARTMENT MAKES
6 PURSUANT TO SECTION 2-7-203 IN DECEMBER OF 2022, THE DEPARTMENT
7 SHALL ANNUALLY PROVIDE THE REPORT PREPARED PURSUANT TO
8 SUBSECTION (3)(a) OF THIS SECTION TO THE JOINT EDUCATION COMMITTEE
9 OF THE GENERAL ASSEMBLY.

10 **22-35.6-107. Repeal of article.** THIS ARTICLE 35.6 IS REPEALED,
11 EFFECTIVE JULY 1, 2025.

12 **SECTION 2. Appropriation.** For the 2019-20 state fiscal year,
13 \$129,563 is appropriated to the department of education. This
14 appropriation is from the general fund and is based on an assumption that
15 the department will require an additional 0.3 FTE. To implement this act,
16 the department may use this appropriation for the high school innovative
17 learning pilot program.

18 **SECTION 3. Safety clause.** The general assembly hereby finds,
19 determines, and declares that this act is necessary for the immediate
20 preservation of the public peace, health, and safety.