

Second Regular Session  
Sixty-ninth General Assembly  
STATE OF COLORADO

**REREVISED**

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

LLS NO. 14-1027.01 Julie Pelegrin x2700

**HOUSE BILL 14-1382**

**HOUSE SPONSORSHIP**

**Young and Wilson,**

**SENATE SPONSORSHIP**

**Kerr and Roberts,**

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**House Committees**

Education  
Appropriations

**Senate Committees**

Education  
Appropriations

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**A BILL FOR AN ACT**

101 **CONCERNING THE DELIVERY OF ON-LINE EDUCATION WITHIN THE**  
102 **PUBLIC ELEMENTARY AND SECONDARY EDUCATION SYSTEM,**  
103 **AND, IN CONNECTION THEREWITH, MAKING AN APPROPRIATION.**

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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://www.leg.state.co.us/billsummaries>.)*

Under existing law, a school district, a group of school districts, a board of cooperative services, or the state charter school institute (authorizer) may authorize an on-line program or an on-line school. On-line education programs and on-line schools are regulated by the

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

SENATE  
3rd Reading Unamended  
May 6, 2014

SENATE  
Amended 2nd Reading  
May 5, 2014

HOUSE  
3rd Reading Unamended  
April 25, 2014

HOUSE  
Amended 2nd Reading  
April 24, 2014

department of education (department). The bill clarifies and updates the definitions of "on-line program" and "on-line school" and clarifies the requirements for documenting student attendance and participation in an on-line program or on-line school. The bill also removes the ability of a group of school districts that have not formed a board of cooperative services to authorize an on-line program or an on-line school.

Under current law, when a student transfers into or out of an on-line school, the transferring school must transmit the student records to the receiving school within 30 days. The bill reduces the time for transmitting student records to 14 days.

Under current law, an on-line school that enrolls students from more than one school district (multi-district on-line school) must be certified by the state board of education (state board). The bill removes the state board's authority to accept applications to certify multi-district on-line schools beginning July 1, 2015, and replaces it with the authority to certify authorizers to create or oversee multi-district on-line schools.

By July 1, 2014, the commissioner of education (commissioner) must convene a task force of persons with expertise in on-line education to recommend to the state board quality standards for authorizers. By July 1, 2015, the state board must adopt quality standards for authorizers and rules for certifying authorizers. An authorizer must be certified to create or oversee a multi-district on-line school.

Beginning July 1, 2015, authorizers of existing multi-district on-line schools must apply for certification. An authorizer that is overseeing a multi-district on-line school as of July 1, 2015, must apply for certification by October 1, 2015. If the authorizer is initially denied certification, it may reapply after 6 months. If the state board again denies certification, the authorizer may not reapply for 2 years.

If a school district, a board of cooperative services, or the institute that is not an authorizer as of July 1, 2015, chooses to authorize a multi-district on-line school, it must first obtain certification. The certification will expire within one year if the authorizer does not authorize a multi-district on-line school.

Certification is valid for 5 years and may be renewed. The state board may deny or refuse to renew an authorizer's certification if the authorizer does not meet the quality standards for authorizers. If an authorizer's certification is denied or not renewed, the authorizer may request from the department intensive, interactive technical support to cure the defect that resulted in denial or nonrenewal. If an authorizer does not obtain or loses certification, each multi-district on-line school that the authorizer oversees must apply for authorization from a new authorizer. If a single-district or a multi-district on-line school changes authorizers, the department must consider the consecutive years during which it operates under a priority improvement or turnaround plan immediately preceding the change in authorizers in determining whether the on-line

school is subject to restructuring.

By July 1, 2014, the commissioner must convene a group of experts to assist the department in designing pilot programs to explore initiatives to address specified issues in providing on-line education. The department must complete the pilot program designs and issue requests for proposals by October 2014, and each pilot program must begin operating in the 2015-16 school year. An authorizer that participates in a pilot program must continue to comply with all statutes and rules while operating the pilot program and must submit data concerning the pilot program to the department. The department must annually submit to the state board, the governor, and the education committees a summary of the pilot programs. The department may accept and expend gifts, grants, and donations to offset the costs incurred in implementing the pilot programs and is not required to implement the provisions concerning pilot programs unless it receives sufficient funding.

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

**SECTION 1.** In Colorado Revised Statutes, 22-30.7-102, **amend** (9) and (9.5) as follows:

**22-30.7-102. Definitions.** As used in this article, unless the context otherwise requires:

(9) "On-line program" means a full-time ~~on-line~~ education program authorized pursuant to this article that delivers a sequential program of synchronous or asynchronous instruction, ~~from a teacher to a student primarily through the use of the internet~~ DIRECTED BY A TEACHER, PRIMARILY THROUGH ON-LINE \_\_\_\_\_ DIGITAL LEARNING STRATEGIES THAT PROVIDE STUDENTS CHOICE OVER TIME, PLACE, AND PATH, AND TEACHER-GUIDED MODALITY, OF LEARNING. "On-line program" does not include a supplemental program. Accountability for each student in an on-line program is attributed back to a designated school that houses the on-line program. Notwithstanding any other provision of this subsection (9) to the contrary, any AN on-line program with one hundred or more students shall be considered IS an on-line school and not an

1 on-line program.

2 (9.5) "On-line school" means a full-time ~~on-line~~ education school  
3 authorized pursuant to this article that delivers a sequential program of  
4 synchronous or asynchronous instruction, ~~from a teacher to a student~~  
5 ~~primarily through the use of the internet~~ DIRECTED BY A TEACHER,  
6 PRIMARILY THROUGH ON-LINE     DIGITAL LEARNING STRATEGIES THAT  
7 PROVIDE STUDENTS CHOICE OVER TIME, PLACE, AND PATH, AND  
8 TEACHER-GUIDED MODALITY, OF LEARNING. An on-line school has an  
9 assigned school code and operates with its own administrator, a separate  
10 budget, and a complete instructional program. An on-line school is  
11 responsible for fulfilling all reporting requirements and ~~will be~~ IS held to  
12 state and federally mandated accountability processes.

13 **SECTION 2.** In Colorado Revised Statutes, 22-30.7-105, **amend**  
14 (2) introductory portion, (2) (a), and (4) (b) as follows:

15 **22-30.7-105. Program criteria - guidelines - quality standards**  
16 **- records - rules.** (2) The following guidelines ~~shall~~ apply to each  
17 on-line program or on-line school that is created or overseen pursuant to  
18 the provisions of this article:

19 (a) A student who is participating in an on-line program or on-line  
20 school ~~shall be~~ IS subject to compulsory school attendance as provided in  
21 article 33 of this title and ~~shall be~~ IS deemed to comply with the  
22 compulsory attendance requirements through participation in the on-line  
23 program or on-line school. EACH ON-LINE PROGRAM AND ON-LINE SCHOOL  
24 MUST DOCUMENT A STUDENT'S COMPLIANCE WITH COMPULSORY  
25 ATTENDANCE REQUIREMENTS BY DOCUMENTING THE STUDENT'S  
26 ATTENDANCE AND PARTICIPATION IN EDUCATIONAL ACTIVITIES THAT      
27 THE ON-LINE PROGRAM'S OR ON-LINE SCHOOL'S AUTHORIZER DEEMS

1 APPROPRIATE TO SUPPORT STUDENT LEARNING, WHICH ACTIVITIES MAY  
2 INCLUDE, BUT NEED NOT BE LIMITED TO, ASSESSMENT, ORIENTATION, AND  
3 INDUCTION ACTIVITIES; IN-PERSON EDUCATIONAL INSTRUCTION; AND  
4 SYNCHRONOUS AND ASYNCHRONOUS INTERNET-BASED EDUCATIONAL  
5 ACTIVITIES.

6 (4) (b) (I) If a student enrolled in a school ~~within~~ OF a school  
7 district transfers to an on-line program or on-line school, the school  
8 district shall transmit, USING SECURE ELECTRONIC MEANS IF AVAILABLE,  
9 to the RECEIVING on-line program or on-line school THE STUDENT'S  
10 COMPLETE RECORDS, INCLUDING all performance, attendance, and  
11 assessment data, ~~concerning the student~~ within ~~thirty~~ FOURTEEN days after  
12 the school district receives notice from the on-line program or on-line  
13 school that the student has enrolled in the on-line program or on-line  
14 school.

15 (II) If a student WHO IS enrolled in an on-line program or on-line  
16 school transfers to a school ~~within~~ OF a school district OR TO AN  
17 INSTITUTE CHARTER SCHOOL, the on-line program or on-line school shall  
18 transmit, USING SECURE ELECTRONIC MEANS IF AVAILABLE, to the  
19 RECEIVING school THE STUDENT'S COMPLETE RECORDS, INCLUDING all  
20 performance, attendance, and assessment data, ~~concerning the student~~  
21 within ~~thirty~~ FOURTEEN days after the on-line program or on-line school  
22 receives notice from the school district that the student has enrolled in the  
23 school.

24 **SECTION 3.** In Colorado Revised Statutes, **add** 22-30.7-112 and  
25 22-20.7-113 as follows:

26 **22-30.7-112. Certification of authorizers of multi-district**  
27 **on-line schools - quality standards - implementation**

1 **recommendations - pilot program design - task force - legislative**  
2 **declaration - repeal.** (1) (a) THE GENERAL ASSEMBLY FINDS THAT:

3 (I) DURING THE 2014 REGULAR LEGISLATIVE SESSION, CERTAIN  
4 LEGISLATORS INFORMALLY CONVENED THE K-12 ON-LINE EDUCATION  
5 COMMISSION, REFERRED TO IN THIS SECTION AS THE "COMMISSION", TO  
6 REVIEW THE IMPLEMENTATION OF ON-LINE EDUCATION IN COLORADO AND  
7 SUBMIT RECOMMENDATIONS TO THE GENERAL ASSEMBLY TO IMPROVE THE  
8 QUALITY OF EDUCATION FOR ALL STUDENTS IN COLORADO WHO USE  
9 ON-LINE LEARNING AS PART OR ALL OF THEIR ACCESS TO LEARNING;

10 (II) AMONG OTHER THINGS, THE COMMISSION RECOMMENDED  
11 THAT IT WOULD BE MORE APPROPRIATE AND EFFECTIVE, AND MORE  
12 CONSISTENT WITH THE ROLE OF THE DEPARTMENT, FOR THE DEPARTMENT  
13 AND THE STATE BOARD TO CERTIFY AUTHORIZERS OF MULTI-DISTRICT  
14 ON-LINE SCHOOLS, RATHER THAN DIRECTLY CERTIFYING THE SCHOOLS  
15 THEMSELVES;

16 (III) BY CERTIFYING AUTHORIZERS OF MULTI-DISTRICT ON-LINE  
17 SCHOOLS, THE DEPARTMENT WILL HAVE THE MEANS TO DIRECTLY ADDRESS  
18 THE QUALITY OF ON-LINE EDUCATION AT THE AUTHORIZER LEVEL. BUT TO  
19 DO SO, THE STATE BOARD MUST ADOPT QUALITY STANDARDS AND  
20 PRACTICES FOR AUTHORIZERS OF MULTI-DISTRICT ON-LINE SCHOOLS TO  
21 FOLLOW.

22 (IV) THERE ARE SEVERAL ISSUES THAT ARISE WITH IMPLEMENTING  
23 A SYSTEM FOR CERTIFYING AUTHORIZERS RATHER THAN DIRECTLY  
24 CERTIFYING MULTI-DISTRICT ON-LINE SCHOOLS AND THAT REQUIRE  
25 CONSIDERATION AND ADVICE FROM PERSONS WITH EXPERTISE IN  
26 OVERSEEING AND PROVIDING ON-LINE EDUCATION, INCLUDING BUT NOT  
27 LIMITED TO THE TIMEFRAMES FOR IMPLEMENTING THE NEW CERTIFICATION

1 PROCESS.

2 (b) THE GENERAL ASSEMBLY FINDS, THEREFORE, THAT IT IS  
3 NECESSARY TO CONVENE A TASK FORCE TO REVIEW BEST PRACTICES AND  
4 POLICIES FOR AUTHORIZING AND ADMINISTERING MULTI-DISTRICT ON-LINE  
5 SCHOOLS, TO RECOMMEND TO THE STATE BOARD QUALITY STANDARDS  
6 AND PRACTICES FOR AUTHORIZERS, AND TO RECOMMEND TO THE STATE  
7 BOARD AND THE GENERAL ASSEMBLY THE REGULATORY AND STATUTORY  
8 CHANGES THAT ARE NECESSARY TO CERTIFY AUTHORIZERS OF  
9 MULTI-DISTRICT ON-LINE SCHOOLS.

10 (2) THERE IS CREATED A TASK FORCE OF PERSONS WITH EXPERTISE  
11 ANDEXPERIENCE IN AUTHORIZING, OVERSEEING, AND OPERATING ON-LINE  
12 PROGRAMS AND ON-LINE SCHOOLS. NO LATER THAN JULY 1, 2014, THE  
13 COMMISSIONER OF EDUCATION SHALL APPOINT THE MEMBERS OF THE TASK  
14 FORCE AS FOLLOWS:

15 (a) ONE PERSON WHO REPRESENTS SCHOOL DISTRICTS IN THE  
16 STATE THAT OVERSEE OR OPERATE AT LEAST ONE MULTI-DISTRICT ON-LINE  
17 SCHOOL;

18 (b) ONE PERSON WHO REPRESENTS BOARDS OF COOPERATIVE  
19 SERVICES IN THE STATE THAT OVERSEE OR OPERATE AT LEAST ONE  
20 MULTI-DISTRICT ON-LINE SCHOOL;

21 (c) ONE PERSON WHO REPRESENTS THE STATE CHARTER SCHOOL  
22 INSTITUTE;

23 (d) THREE PERSONS WHO ARE EMPLOYED IN PUBLIC EDUCATION, AT  
24 LEAST ONE OF WHOM IS EMPLOYED AS A TEACHER IN A MULTI-DISTRICT  
25 ON-LINE SCHOOL AND AT LEAST ONE OF WHOM IS EMPLOYED AS AN  
26 ADMINISTRATOR OF AN ON-LINE PROGRAM OR ON-LINE SCHOOL;

27 (e) TWO PERSONS WHO REPRESENT FOR-PROFIT MULTI-DISTRICT

1 ON-LINE SCHOOLS THAT ARE AUTHORIZED PURSUANT TO SECTION  
2 22-30.7-106;

3 (f) THREE PERSONS WHO ARE EMPLOYEES OF THE DEPARTMENT  
4 WITH EXPERTISE IN ON-LINE EDUCATION, ONLY ONE OF WHOM IS A VOTING  
5 MEMBER OF THE TASK FORCE;

6 (g) TWO PERSONS, EACH OF WHOM ARE PARENTS OF A STUDENT  
7 WHO IS ENROLLED IN AN ON-LINE SCHOOL IN COLORADO; AND

8 (h) TWO PERSONS WHO WERE MEMBERS OF THE COMMISSION.

9 (3) THE COMMISSIONER OF EDUCATION SHALL APPOINT THE CHAIR  
10 OF THE TASK FORCE AND CONVENE THE FIRST MEETING OF THE TASK  
11 FORCE. THE TASK FORCE SHALL MEET AS OFTEN AS NECESSARY AT THE  
12 CALL OF THE CHAIR TO COMPLETE THE TASK FORCE'S DUTIES. THE TASK  
13 FORCE MEETINGS ARE SUBJECT TO THE OPEN MEETING REQUIREMENTS  
14 SPECIFIED IN SECTION 24-6-402, C.R.S., AND MUST BE SIMULTANEOUSLY  
15 BROADCAST VIA THE INTERNET. THE MEMBERS OF THE TASK FORCE MUST  
16 SERVE WITHOUT COMPENSATION AND WITHOUT REIMBURSEMENT FOR  
17 EXPENSES. THE DEPARTMENT SHALL PROVIDE SUPPORT AND ASSISTANCE  
18 FOR THE TASK FORCE AS NEEDED. THE DEPARTMENT MAY CONTRACT WITH  
19 A PERSON OR OTHER ENTITY TO PROVIDE FACILITATION SERVICES OR  
20 OTHER ASSISTANCE TO THE TASK FORCE SO LONG AS THE PERSON OR  
21 ENTITY DOES NOT HAVE AN ACTUAL OR POTENTIAL CONFLICT OF INTEREST  
22 WITH REGARD TO THE POTENTIAL RECOMMENDATIONS OF THE TASK FORCE  
23 AND HAS NOT STATED A POSITION IN SUPPORT OF OR OPPOSED TO ON-LINE  
24 EDUCATION.

25 (4) (a) THE TASK FORCE HAS THE FOLLOWING DUTIES:

26 (I) TO REVIEW THE BEST PRACTICES AND STANDARDS FOR  
27 OVERSEEING AND OPERATING MULTI-DISTRICT ON-LINE SCHOOLS THAT ARE



1 USED IN THIS STATE AND IN OTHER STATES AND COUNTRIES AND TO  
2 RECOMMEND QUALITY STANDARDS AND PRACTICES FOR AUTHORIZERS OF  
3 MULTI-DISTRICT ON-LINE SCHOOLS IN COLORADO;

4 (II) TO REVIEW THE EXISTING STATE BOARD RULES AND STATUTES  
5 CONCERNING ON-LINE EDUCATION AND TO RECOMMEND CHANGES TO  
6 RULES AND STATUTES TO IMPLEMENT A SYSTEM FOR CERTIFYING  
7 AUTHORIZERS OF MULTI-DISTRICT SCHOOLS AND DISCONTINUING  
8 CERTIFICATION OF MULTI-DISTRICT ON-LINE SCHOOLS;

9 (III) TO MAKE RECOMMENDATIONS CONCERNING THE SYSTEM AND  
10 PROCESS FOR CERTIFYING AUTHORIZERS, INCLUDING BUT NOT LIMITED TO  
11 THE FREQUENCY AND TIMING OF CERTIFICATION AND RECERTIFICATION  
12 AND THE EFFECT ON A MULTI-DISTRICT ON-LINE SCHOOL IF THE SCHOOL'S  
13 AUTHORIZER LOSES CERTIFICATION;     

14 (IV) TO MAKE SUCH ADDITIONAL RECOMMENDATIONS  
15 CONCERNING MULTI-DISTRICT ON-LINE SCHOOLS AND AUTHORIZERS OF  
16 MULTI-DISTRICT ON-LINE SCHOOLS AS THE TASK FORCE DEEMS  
17 APPROPRIATE; AND

18 (V) TO ESTABLISH THE PARAMETERS FOR, DURATION OF, AND  
19 METHODS FOR EVALUATING PILOT PROGRAMS AS DESCRIBED IN SECTION  
20 22-30.7-113 (2) (b).

21 (b) IN PREPARING ITS RECOMMENDATIONS, THE TASK FORCE SHALL  
22 SOLICIT INPUT FROM INTERESTED PERSONS, INCLUDING BUT NOT LIMITED  
23 TO SCHOOL DISTRICTS, CHARTER SCHOOLS, THE STATE CHARTER SCHOOL  
24 INSTITUTE, BOARDS OF COOPERATIVE SERVICES, EDUCATORS AND  
25 ADMINISTRATORS WHO WORK WITH ON-LINE PROGRAMS AND ON-LINE  
26 SCHOOLS, AND STUDENTS ENROLLED IN ON-LINE PROGRAMS AND ON-LINE  
27 SCHOOLS AND THEIR PARENTS.

1 (5) NO LATER THAN JANUARY 1, 2015, THE TASK FORCE SHALL  
2 SUBMIT ITS WRITTEN RECOMMENDATIONS TO THE STATE BOARD AND TO  
3 THE EDUCATION COMMITTEES OF THE HOUSE OF REPRESENTATIVES AND  
4 THE SENATE, OR ANY SUCCESSOR COMMITTEES.

5 (6) THIS SECTION IS REPEALED, EFFECTIVE JULY 1, 2015.

6 **22-30.7-113. On-line pilot programs - interim reports -**  
7 **legislative declaration.** (1) THE GENERAL ASSEMBLY FINDS THAT:

8 (a) SEVERAL CHALLENGES EXIST IN PROVIDING ON-LINE  
9 PROGRAMS, ON-LINE SCHOOLS, AND SUPPLEMENTAL PROGRAMS THAT  
10 EFFECTIVELY AND SUCCESSFULLY MEET THE EDUCATIONAL NEEDS OF  
11 STUDENTS AND THEIR FAMILIES;

12 (b) COLORADO'S ELEMENTARY AND SECONDARY EDUCATION  
13 COMMUNITY IS IN A UNIQUE POSITION TO OPERATE PILOT PROGRAMS TO  
14 TRY TO MEET THESE CHALLENGES BY IMPLEMENTING INNOVATIVE  
15 STRATEGIES TO PROVIDE ON-LINE EDUCATION, INCLUDING STRATEGIES FOR  
16 ENHANCING AND MEASURING STUDENT ACADEMIC GROWTH AND  
17 SUCCESS; AND

18 (c) AUTHORIZING AND SUPPORTING PILOT PROGRAMS WILL HELP  
19 FOSTER PARTNERSHIPS AMONG EDUCATION PROVIDERS AND RESULT IN  
20 DATA TO SUPPORT REPLICATION AND THE SCALING OF UNIQUE EDUCATION  
21 POLICIES THAT ARE SUCCESSFULLY IMPLEMENTED THROUGH THE PILOT  
22 PROGRAMS.

23 =====

24 (2) (a) THE DEPARTMENT SHALL WORK WITH THE TASK FORCE  
25 CREATED IN SECTION 22-30.7-112 TO ESTABLISH THE PARAMETERS  
26 FOR, DURATION OF, AND METHODS FOR EVALUATING PILOT PROGRAMS AS  
27 DESCRIBED IN THIS SECTION AND TO ISSUE TO AUTHORIZERS REQUESTS FOR

1 PROPOSALS FOR THE PILOT PROGRAMS. THE DEPARTMENT SHALL ISSUE THE  
2 REQUESTS FOR PROPOSALS NO LATER THAN OCTOBER 15, 2014. THE PILOT  
3 PROGRAMS MUST BEGIN OPERATION NO LATER THAN THE 2015-16 SCHOOL  
4 YEAR.

5 (b) THE PILOT PROGRAMS MAY INCLUDE, BUT NEED NOT BE  
6 LIMITED TO:

7 ==  
8 (I) A PILOT PROGRAM TO USE OBJECTIVE, VERIFIABLE, AND  
9 MULTIPLE MEASURES OF STUDENT ACHIEVEMENT AS INDICATORS OF  
10 SCHOOL QUALITY, WHICH MEASURES ALIGN WITH THE COLORADO  
11 ACADEMIC STANDARDS ADOPTED PURSUANT TO SECTION 22-7-1005;

12 (II) A PILOT PROGRAM TO USE A STUDENT-COUNT PROCESS THAT  
13 IS BASED ON COURSE COMPLETION AND STUDENT COMPETENCY RATHER  
14 THAN ENROLLMENT;

15 (III) A PILOT PROGRAM TO EXAMINE METHODS OF USING TIERED  
16 INTERVENTIONS IN ON-LINE EDUCATION TO SUPPORT INDIVIDUAL  
17 STUDENTS THROUGH A WELL-INTEGRATED SYSTEM THAT IS MATCHED TO  
18 STUDENTS' ACADEMIC, SOCIAL-EMOTIONAL, AND BEHAVIORAL NEEDS; AND

19 (IV) A PILOT PROGRAM TO IDENTIFY AND EXPLAIN THE  
20 REQUIREMENTS STUDENTS MUST MEET AND THE RESPONSIBILITIES THAT  
21 STUDENTS MUST ACCEPT TO SUCCEED IN ON-LINE EDUCATION.

22 (c) AN AUTHORIZER THAT PARTICIPATES IN A PILOT PROGRAM  
23 PURSUANT TO THIS SECTION MUST CONTINUE TO MEET STATUTORY AND  
24 REGULATORY REQUIREMENTS, INCLUDING BUT NOT LIMITED TO THE  
25 REQUIREMENTS RELATED TO FUNDING AND ACCOUNTABILITY, WHILE  
26 PARTICIPATING IN THE PILOT PROGRAM.

27 (3) AN AUTHORIZER THAT PARTICIPATES IN A PILOT PROGRAM

1 PURSUANT TO THIS SECTION SHALL SUBMIT TO THE DEPARTMENT THE DATA  
2 REQUESTED BY THE DEPARTMENT TO EVALUATE THE SUCCESS OF THE  
3 POLICIES IMPLEMENTED THROUGH THE PILOT PROGRAM. BEGINNING WITH  
4 THE FIRST SCHOOL YEAR IN WHICH A PILOT PROGRAM OPERATES, THE  
5 DEPARTMENT SHALL PREPARE AN ANNUAL WRITTEN SUMMARY OF EACH  
6 PILOT PROGRAM, WHICH MUST, AT A MINIMUM, INCLUDE A DESCRIPTION OF  
7 THE PILOT PROGRAM, AN EVALUATION OF THE EFFECTIVENESS OF THE  
8 POLICIES IMPLEMENTED THROUGH THE PILOT PROGRAM, AND AN  
9 EVALUATION OF WHETHER THE POLICIES ARE SCALABLE TO OTHER  
10 AUTHORIZERS. THE DEPARTMENT SHALL SUBMIT THE ANNUAL SUMMARY  
11 TO THE STATE BOARD OF EDUCATION, THE GOVERNOR'S OFFICE, AND THE  
12 EDUCATION COMMITTEES OF THE SENATE AND THE HOUSE OF  
13 REPRESENTATIVES, OR ANY SUCCESSOR COMMITTEES.

14 (4) THE DEPARTMENT MAY ACCEPT AND EXPEND PUBLIC AND  
15 PRIVATE GIFTS, GRANTS, AND DONATIONS TO OFFSET THE COSTS INCURRED  
16 BY THE DEPARTMENT AND BY PARTICIPATING AUTHORIZERS IN  
17 IMPLEMENTING PILOT PROGRAMS PURSUANT TO THIS SECTION.  
18 NOTWITHSTANDING ANY PROVISION OF THIS SECTION TO THE CONTRARY,  
19 THE DEPARTMENT MUST IMPLEMENT THE PROVISION OF THIS SECTION ONLY  
20 IF THE DEPARTMENT RECEIVES APPROPRIATIONS OR PUBLIC OR PRIVATE  
21 GIFTS, GRANTS, OR DONATIONS IN AN AMOUNT IT DEEMS SUFFICIENT TO  
22 OFFSET THE COSTS INCURRED IN IMPLEMENTING PILOT PROGRAMS  
23 PURSUANT TO THIS SECTION.

24 **SECTION 4. Appropriation.** In addition to any other  
25 appropriation, there is hereby appropriated, out of any moneys in the  
26 general fund not otherwise appropriated, to the department of education,  
27 for the fiscal year beginning July 1, 2014, the sum of \$47,659, or so

1 much thereof as may be necessary, for allocation to the division of on-line  
2 learning for the implementation of this act.

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