

**Second Regular Session  
Sixty-ninth General Assembly  
STATE OF COLORADO**

**PREAMENDED**

*This Unofficial Version Includes Committee  
Amendments Not Yet Adopted on Second Reading*

LLS NO. 14-1027.01 Julie Pelegrin x2700

**HOUSE BILL 14-1382**

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**HOUSE SPONSORSHIP**

**Young and Wilson,**

**SENATE SPONSORSHIP**

**Kerr and Roberts,**

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**House Committees**

Education  
Appropriations

**Senate Committees**

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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.*

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

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

4 **22-30.7-102. Definitions.** As used in this article, unless the  
5 context otherwise requires:

6 (9) "On-line program" means a full-time ~~on-line~~ education  
7 program authorized pursuant to this article that delivers a sequential  
8 program of synchronous or asynchronous instruction, ~~from a teacher to~~  
9 ~~a student primarily through the use of the internet~~ DIRECTED BY A  
10 TEACHER, PRIMARILY THROUGH ON-LINE OR REMOTE DIGITAL LEARNING  
11 STRATEGIES THAT PROVIDE STUDENTS CHOICE AND CONTROL OVER TIME,  
12 PLACE, PACE, PATH, AND MODALITY OF LEARNING. "On-line program" does  
13 not include a supplemental program. Accountability for each student in  
14 an on-line program is attributed ~~back~~ to a designated school that houses  
15 the on-line program. Notwithstanding any other provision of this  
16 subsection (9) to the contrary, ~~any~~ AN on-line program with one hundred  
17 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 OR REMOTE DIGITAL LEARNING STRATEGIES  
7 THAT PROVIDE STUDENTS CHOICE AND CONTROL OVER TIME, PLACE, PACE,  
8 PATH, AND MODALITY OF LEARNING. An on-line school has an assigned  
9 school code and operates with its own administrator, a separate budget,  
10 and a complete instructional program. An on-line school is responsible  
11 for fulfilling all reporting requirements and ~~will be~~ IS held to state and  
12 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 ALIGN WITH THE QUALITY STANDARDS ADOPTED PURSUANT TO

1 PARAGRAPH (b) OF SUBSECTION (3) OF THIS SECTION AND THAT THE  
2 ON-LINE PROGRAM'S OR ON-LINE SCHOOL'S AUTHORIZER DEEMS  
3 APPROPRIATE TO SUPPORT STUDENT LEARNING, WHICH ACTIVITIES MAY  
4 INCLUDE, BUT NEED NOT BE LIMITED TO, ASSESSMENT, ORIENTATION, AND  
5 INDUCTION ACTIVITIES; IN-PERSON EDUCATIONAL INSTRUCTION; AND  
6 SYNCHRONOUS AND ASYNCHRONOUS INTERNET-BASED EDUCATIONAL  
7 ACTIVITIES.

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

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

26 **SECTION 3.** In Colorado Revised Statutes, **add** 22-30.7-112 and  
27 22-20.7-113 as follows:

1           **22-30.7-112. Certification of authorizers of multi-district**  
2 **on-line schools - quality standards - implementation**  
3 **recommendations - task force - legislative declaration - repeal.**

4 (1) (a) THE GENERAL ASSEMBLY FINDS THAT:

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

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

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

24           (IV) THERE ARE SEVERAL ISSUES THAT ARISE WITH IMPLEMENTING  
25 A SYSTEM FOR CERTIFYING AUTHORIZERS RATHER THAN DIRECTLY  
26 CERTIFYING MULTI-DISTRICT ON-LINE SCHOOLS AND THAT REQUIRE  
27 CONSIDERATION AND ADVICE FROM PERSONS WITH EXPERTISE IN

1 OVERSEEING AND PROVIDING ON-LINE EDUCATION, INCLUDING BUT NOT  
2 LIMITED TO THE TIMEFRAMES FOR IMPLEMENTING THE NEW CERTIFICATION  
3 PROCESS.

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

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

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

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

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

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

1 (e) TWO PERSONS WHO REPRESENT FOR-PROFIT MULTI-DISTRICT  
2 ON-LINE SCHOOLS THAT ARE AUTHORIZED PURSUANT TO SECTION  
3 22-30.7-106;

4 (f) THREE PERSONS WHO ARE EMPLOYEES OF THE DEPARTMENT  
5 WITH EXPERTISE IN ON-LINE EDUCATION;

6 (g) ONE PERSON WHO IS A PARENT OF A STUDENT WHO IS  
7 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  
13 MEMBERS OF THE TASK FORCE MUST SERVE WITHOUT COMPENSATION AND  
14 WITHOUT REIMBURSEMENT FOR EXPENSES. THE DEPARTMENT SHALL  
15 PROVIDE SUPPORT AND ASSISTANCE FOR THE TASK FORCE AS NEEDED.

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

17 (I) TO REVIEW THE BEST PRACTICES AND STANDARDS FOR  
18 OVERSEEING AND OPERATING MULTI-DISTRICT ON-LINE SCHOOLS THAT ARE  
19 USED IN THIS STATE AND IN OTHER STATES AND COUNTRIES AND TO  
20 RECOMMEND QUALITY STANDARDS AND PRACTICES FOR AUTHORIZERS OF  
21 MULTI-DISTRICT ON-LINE SCHOOLS IN COLORADO;

22 (II) TO REVIEW THE EXISTING STATE BOARD RULES AND STATUTES  
23 CONCERNING ON-LINE EDUCATION AND TO RECOMMEND CHANGES TO  
24 RULES AND STATUTES TO IMPLEMENT A SYSTEM FOR CERTIFYING  
25 AUTHORIZERS OF MULTI-DISTRICT SCHOOLS AND DISCONTINUING  
26 CERTIFICATION OF MULTI-DISTRICT ON-LINE SCHOOLS;

27 (III) TO MAKE RECOMMENDATIONS CONCERNING THE SYSTEM AND



1 PROCESS FOR CERTIFYING AUTHORIZERS, INCLUDING BUT NOT LIMITED TO  
2 THE FREQUENCY AND TIMING OF CERTIFICATION AND RECERTIFICATION  
3 AND THE EFFECT ON A MULTI-DISTRICT ON-LINE SCHOOL IF THE SCHOOL'S  
4 AUTHORIZER LOSES CERTIFICATION; AND

5 (IV) TO MAKE SUCH ADDITIONAL RECOMMENDATIONS  
6 CONCERNING MULTI-DISTRICT ON-LINE SCHOOLS AND AUTHORIZERS OF  
7 MULTI-DISTRICT ON-LINE SCHOOLS AS THE TASK FORCE DEEMS  
8 APPROPRIATE.

9 (b) IN PREPARING ITS RECOMMENDATIONS, THE TASK FORCE SHALL  
10 SOLICIT INPUT FROM INTERESTED PERSONS, INCLUDING BUT NOT LIMITED  
11 TO SCHOOL DISTRICTS, CHARTER SCHOOLS, THE STATE CHARTER SCHOOL  
12 INSTITUTE, BOARDS OF COOPERATIVE SERVICES, EDUCATORS AND  
13 ADMINISTRATORS WHO WORK WITH ON-LINE PROGRAMS AND ON-LINE  
14 SCHOOLS, AND STUDENTS ENROLLED IN ON-LINE PROGRAMS AND ON-LINE  
15 SCHOOLS AND THEIR PARENTS.

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

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

21 **22-30.7-113. On-line pilot programs - design group - interim**  
22 **reports - legislative declaration.** (1) THE GENERAL ASSEMBLY FINDS  
23 THAT:

24 (a) SEVERAL CHALLENGES EXIST IN PROVIDING ON-LINE  
25 PROGRAMS, ON-LINE SCHOOLS, AND SUPPLEMENTAL PROGRAMS THAT  
26 EFFECTIVELY AND SUCCESSFULLY MEET THE EDUCATIONAL NEEDS OF  
27 STUDENTS AND THEIR FAMILIES;

1 (b) COLORADO'S ELEMENTARY AND SECONDARY EDUCATION  
2 COMMUNITY IS IN A UNIQUE POSITION TO OPERATE PILOT PROGRAMS TO  
3 TRY TO MEET THESE CHALLENGES BY IMPLEMENTING INNOVATIVE  
4 STRATEGIES TO PROVIDE ON-LINE EDUCATION, INCLUDING STRATEGIES FOR  
5 FUNDING ON-LINE EDUCATION AND FOR ENHANCING AND MEASURING  
6 STUDENT ACADEMIC GROWTH AND SUCCESS; AND

7 (c) AUTHORIZING AND SUPPORTING PILOT PROGRAMS WILL HELP  
8 FOSTER PARTNERSHIPS AMONG EDUCATION PROVIDERS AND RESULT IN  
9 DATA TO SUPPORT REPLICATION AND THE SCALING OF UNIQUE EDUCATION  
10 POLICIES THAT ARE SUCCESSFULLY IMPLEMENTED THROUGH THE PILOT  
11 PROGRAMS.

12 (2) (a) NO LATER THAN JULY 1, 2014, THE COMMISSIONER SHALL  
13 CONVENE A GROUP OF PERSONS WITH EXPERTISE AND EXPERIENCE IN  
14 ON-LINE EDUCATION TO DESIGN PILOT PROGRAMS THAT ENACT EDUCATION  
15 PRACTICES AND POLICIES TO ADDRESS THE CHALLENGES OF PROVIDING  
16 ON-LINE EDUCATION. THE COMMISSIONER SHALL ENSURE THAT THE PILOT  
17 PROGRAM DESIGN GROUP CONSISTS OF FOURTEEN PERSONS, WHICH MUST  
18 INCLUDE:

19 (I) ONE PERSON WHO HAS EXPERIENCE IN AUTHORIZING ON-LINE  
20 SCHOOLS THAT OPERATE AS CHARTER SCHOOLS OR AS SCHOOLS OF A  
21 SCHOOL DISTRICT OR BOARD OF COOPERATIVE SERVICES;

22 (II) TWO PERSONS WHO ARE PARENTS OF STUDENTS WHO HAVE AT  
23 LEAST THREE SUCCESSIVE YEARS OF EXPERIENCE IN A FULL-TIME DIGITAL  
24 LEARNING ENVIRONMENT;

25 (III) TWO PERSONS WHO HAVE SUCCESSFUL EXPERIENCE IN  
26 ADMINISTERING AND TEACHING IN A SCHOOL OR SCHOOL DISTRICT,  
27 INCLUDING ADMINISTERING AND TEACHING IN ON-LINE EDUCATION;

1 (IV) TWO PERSONS WHO HAVE SUCCESSFUL EXPERIENCE IN  
2 MANAGING FINANCE, ACCOUNTABILITY, AND STUDENT-COUNT ISSUES;

3 (V) TWO PERSONS WHO ARE EMPLOYEES OF RURAL SCHOOL  
4 DISTRICTS OR EMPLOYEES OF PUBLIC SCHOOLS LOCATED WITHIN RURAL  
5 SCHOOL DISTRICTS AND WHO HAVE EXPERIENCE IN SUPPORTING A DIGITAL  
6 LEARNING ENVIRONMENT;

7 (VI) THREE DEPARTMENT EMPLOYEES WHO SPECIALIZE IN SCHOOL  
8 FINANCE AND AUDITING ISSUES, ACCOUNTABILITY, AND ON-LINE AND  
9 BLENDED EDUCATION;

10 (VII) A PERSON WITH EXPERIENCE IN ANALYZING EDUCATION  
11 POLICY; AND

12 (VIII) A PERSON WHO SERVED ON THE INFORMAL COMMISSION  
13 THAT SUBMITTED RECOMMENDATIONS TO THE GENERAL ASSEMBLY ON  
14 MARCH 21, 2014, FOR CHANGES IN ON-LINE EDUCATION STATUTES AND  
15 RULES.

16 (b) THE MEMBERS OF THE PILOT PROGRAM DESIGN GROUP MUST  
17 SERVE WITHOUT COMPENSATION AND WITHOUT REIMBURSEMENT FOR  
18 EXPENSES.

19 (3) (a) THE DEPARTMENT SHALL WORK WITH THE PILOT PROGRAM  
20 DESIGN GROUP TO ESTABLISH THE PARAMETERS FOR, DURATION OF, AND  
21 METHODS FOR EVALUATING PILOT PROGRAMS AS DESCRIBED IN THIS  
22 SECTION AND TO ISSUE TO AUTHORIZERS REQUESTS FOR PROPOSALS FOR  
23 THE PILOT PROGRAMS. THE DEPARTMENT SHALL ISSUE THE REQUESTS FOR  
24 PROPOSALS NO LATER THAN OCTOBER 15, 2014. THE PILOT PROGRAMS  
25 MUST BEGIN OPERATION NO LATER THAN THE 2015-16 SCHOOL YEAR.

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

1 (I) A PILOT PROGRAM TO EXPLORE METHODS OF IMPLEMENTING  
2 COURSE-LEVEL, PROPORTIONAL, AND COMPETENCY-BASED FUNDING FOR  
3 SCHOOLS;

4 (II) A PILOT PROGRAM TO USE OBJECTIVE, VERIFIABLE, AND  
5 MULTIPLE MEASURES OF STUDENT ACHIEVEMENT AS INDICATORS OF  
6 SCHOOL QUALITY, WHICH MEASURES ALIGN WITH THE COLORADO  
7 ACADEMIC STANDARDS ADOPTED PURSUANT TO SECTION 22-7-1005;

8 (III) A PILOT PROGRAM TO USE A STUDENT-COUNT PROCESS THAT  
9 IS BASED ON COURSE COMPLETION AND STUDENT COMPETENCY RATHER  
10 THAN ENROLLMENT;

11 (IV) A PILOT PROGRAM TO EXAMINE METHODS OF USING TIERED  
12 INTERVENTIONS IN ON-LINE EDUCATION TO SUPPORT INDIVIDUAL  
13 STUDENTS THROUGH A WELL-INTEGRATED SYSTEM THAT IS MATCHED TO  
14 STUDENTS' ACADEMIC, SOCIAL-EMOTIONAL, AND BEHAVIORAL NEEDS; AND

15 (V) A PILOT PROGRAM TO IDENTIFY AND EXPLAIN THE  
16 REQUIREMENTS STUDENTS MUST MEET AND THE RESPONSIBILITIES THAT  
17 STUDENTS MUST ACCEPT TO SUCCEED IN ON-LINE EDUCATION.

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

23 (4) AN AUTHORIZER THAT PARTICIPATES IN A PILOT PROGRAM  
24 PURSUANT TO THIS SECTION SHALL SUBMIT TO THE DEPARTMENT THE DATA  
25 REQUESTED BY THE DEPARTMENT TO EVALUATE THE SUCCESS OF THE  
26 POLICIES IMPLEMENTED THROUGH THE PILOT PROGRAM. BEGINNING WITH  
27 THE FIRST SCHOOL YEAR IN WHICH A PILOT PROGRAM OPERATES, THE

1 DEPARTMENT SHALL PREPARE AN ANNUAL WRITTEN SUMMARY OF EACH  
2 PILOT PROGRAM, WHICH MUST, AT A MINIMUM, INCLUDE A DESCRIPTION OF  
3 THE PILOT PROGRAM, AN EVALUATION OF THE EFFECTIVENESS OF THE  
4 POLICIES IMPLEMENTED THROUGH THE PILOT PROGRAM, AND AN  
5 EVALUATION OF WHETHER THE POLICIES ARE SCALABLE TO OTHER  
6 AUTHORIZERS. THE DEPARTMENT SHALL SUBMIT THE ANNUAL SUMMARY  
7 TO THE STATE BOARD OF EDUCATION, THE GOVERNOR'S OFFICE, AND THE  
8 EDUCATION COMMITTEES OF THE SENATE AND THE HOUSE OF  
9 REPRESENTATIVES, OR ANY SUCCESSOR COMMITTEES.

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

20 **SECTION 4. Appropriation.** In addition to any other  
21 appropriation, there is hereby appropriated, out of any moneys in the  
22 general fund not otherwise appropriated, to the department of education,  
23 for the fiscal year beginning July 1, 2014, the sum of \$47,659 and 0.5  
24 FTE, or so much thereof as may be necessary, for allocation to the  
25 division of on-line learning for the implementation of this act.

26 **SECTION 5. Safety clause.** The general assembly hereby finds,

- 1 determines, and declares that this act is necessary for the immediate
- 2 preservation of the public peace, health, and safety.