

Second Regular Session
Seventieth General Assembly
STATE OF COLORADO

ENGROSSED

*This Version Includes All Amendments Adopted
on Second Reading in the House of Introduction*

LLS NO. 16-0947.01 Julie Pelegrin x2700

HOUSE BILL 16-1222

HOUSE SPONSORSHIP

Rankin and Tyler, Dore, Thurlow, Wilson, Garnett, Hamner, Lee, Moreno, Pettersen

SENATE SPONSORSHIP

Todd and Hill,

House Committees

Education
Appropriations

Senate Committees

A BILL FOR AN ACT

101 **CONCERNING INCREASING THE AVAILABILITY OF SUPPLEMENTAL**
102 **ONLINE EDUCATION RESOURCES, AND, IN CONNECTION**
103 **THEREWITH, CREATING THE STATEWIDE SUPPLEMENTAL ONLINE**
104 **AND BLENDED LEARNING PROGRAM AND MAKING AN**
105 **APPROPRIATION.**

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 current law, a board of cooperative services (BOCES) is designated to make supplemental online education courses, teacher

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.

HOUSE
Amended 2nd Reading
April 28, 2016

professional development, and consulting services available to school districts, charter schools, and other BOCES (local education providers). The designated BOCES contracts with nonprofit entities to provide these services.

The bill creates the statewide supplemental online and blended learning program (program) to better administer the availability of these courses and services. The designated BOCES is charged with leading and administering the program, which includes creating a statewide plan for making supplemental online and blended learning resources available to local education providers. In administering the program, the designated BOCES may contract with multiple nonprofit providers for the supplemental online education courses, professional development, and consulting services. The designated BOCES must also actively market the program to local education providers. The designated BOCES may expend up to 10 % of the amount appropriated for the program to offset the increased costs of administering the program.

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

2 **SECTION 1.** In Colorado Revised Statutes, **amend** 22-5-119 as
3 follows:

4 **22-5-119. Statewide supplemental online and blended learning**
5 **program - legislative declaration - created - contract - definitions.**

6 (1) THE SHORT TITLE OF THIS SECTION IS THE "EMPOWERING DIGITAL
7 LEARNING FOR ALL ACT".

8 (+) (2) (a) (I) The general assembly finds that:

9 (A) ~~Online education courses that are supplemental to the~~
10 ~~education program provided by a school district, charter school, or~~
11 ~~BOCES are a valuable resource for schools because they allow a school~~
12 ~~district, charter school, or BOCES to provide a much richer, more varied~~
13 ~~curriculum of courses for students at all levels of achievement. Many~~
14 ~~small school districts and rural communities, however, lack the capacity~~
15 ~~and resources to develop their own supplemental online courses and~~
16 ~~blended learning strategies~~ THE OVERWHELMING INFLUENCE OF THE

1 RAPIDLY EVOLVING USE OF TECHNOLOGY AND THE INTERNET WILL RENDER
2 HIGH-QUALITY REMOTE DIGITAL EDUCATIONAL CONTENT ALMOST
3 COST-FREE AFTER A PERIOD OF DECLINING COSTS. ACCESS TO DIGITAL
4 CONTENT AND EDUCATIONAL COURSES IS ALREADY AN ESSENTIAL PART OF
5 THE HIGHER EDUCATION SYSTEM, BUT IS NOT WIDELY APPLIED IN
6 ELEMENTARY AND SECONDARY EDUCATION. WHILE SOME SCHOOL
7 DISTRICTS HAVE BEEN ABLE TO KEEP PACE WITH THE CHANGING CONTEXT
8 OF PUBLIC EDUCATION, MOST HAVE NOT.

9 ~~(B) Supplemental online education courses provide tools for~~
10 ~~school districts, charter schools, and BOCES to use in decreasing the~~
11 ~~college remediation rates and in helping their students comply with the~~
12 ~~higher education admission guidelines;~~ THE SCOPE OF THE COMING
13 CHANGE IN THE DELIVERY OF PUBLIC EDUCATION SERVICES IS MASSIVE
14 AND MORE FAR-REACHING THAN THE CURRENTLY AVAILABLE CONSTRUCTS
15 OF ONLINE LEARNING OR BLENDED LEARNING. THE SCOPE OF THE CHANGE
16 IS SUCH THAT EVERY PUBLIC SCHOOL IN THE STATE MUST EVOLVE INTO A
17 DIGITAL LEARNING ENVIRONMENT THAT CAPITALIZES ON THE
18 STUDENT-TEACHER RELATIONSHIP WHILE LEVERAGING THE ADVANCES
19 THAT THE TECHNOLOGY REVOLUTION BRINGS.

20 ~~(C) The cost of supplemental online education courses is~~
21 ~~prohibitive for many school districts, charter schools, and BOCES whose~~
22 ~~students may be most in need of these courses. Because of the value of~~
23 ~~these courses, it is appropriate that the state provide moneys to assist~~
24 ~~school districts, charter schools, and BOCES in purchasing supplemental~~
25 ~~online education courses~~ THE PUBLIC EDUCATION SYSTEM MUST TAKE
26 ADVANTAGE OF THIS OPPORTUNITY TO SIGNIFICANTLY IMPROVE
27 STATEWIDE EDUCATIONAL EQUITY BY DELIVERING EDUCATIONAL

1 SERVICES THROUGH THE DIGITAL LEARNING ENVIRONMENT. IT IS LIKELY
2 THAT FAILURE TO EMBRACE THIS CHANGE IN THE DELIVERY OF PUBLIC
3 EDUCATION SERVICES WILL LEAD TO A DECLINE IN THE EQUITY AND
4 QUALITY OF THE SYSTEM OF PUBLIC EDUCATION IN COLORADO.

5 (D) COLORADO LACKS A CLEARLY ARTICULATED AND ACCEPTED
6 VISION AND PLAN TO IMPLEMENT THE SHIFT IN DELIVERING EDUCATIONAL
7 SERVICES TO A DIGITAL ENVIRONMENT, WHICH MUST OCCUR TO
8 ADEQUATELY PREPARE STUDENTS FOR POSTSECONDARY SUCCESS. IT IS
9 CRUCIAL THAT THE STATE IDENTIFY A SINGLE PUBLIC ENTITY TO PROVIDE
10 LEADERSHIP IN DESIGNING AND IMPLEMENTING A STATEWIDE PLAN FOR
11 INCREASING THE AVAILABILITY OF SUPPLEMENTAL ONLINE EDUCATIONAL
12 COURSES AND BLENDED LEARNING FOR SCHOOL DISTRICTS, CHARTER
13 SCHOOLS, AND BOCES.

14 (II) It is therefore in the best interests of the state to ~~invest~~
15 INCREASE ITS INVESTMENT in the expansion of affordable, high-quality
16 supplemental online education courses and blended learning support for
17 school districts, charter schools, and BOCES, especially those that lack
18 the capacity to develop their own supplemental ONLINE EDUCATION
19 COURSE offerings, by subsidizing the provision of SUPPLEMENTAL online
20 education courses, professional development, and technical assistance to
21 implement SUPPLEMENTAL online and blended learning statewide.

22 (III) Due to its experience in assisting school districts with
23 SUPPLEMENTAL online EDUCATION COURSES and blended learning in
24 Colorado, it is further in the best interests of the state to designate a
25 BOCES to ~~contract through a request for a proposal process that adheres~~
26 ~~to the goals set forth in paragraph (a.5) of this subsection (1) developed~~
27 ~~in consultation with the department, with one or more nonprofit providers~~

1 to provide resources for school districts, charter schools, and BOCES in
2 the form of supplemental online course offerings, professional
3 development for educators, and consulting assistance for schools and
4 school districts wanting to use online and blended learning for their
5 students. In contracting with providers, the priority shall result in the
6 expansion of student access to quality supplemental online courses and
7 resources available to implement supplemental online and blended
8 learning in school districts, charter schools, and BOCES statewide
9 ARTICULATE THE STATEWIDE PLAN FOR SUPPLEMENTAL ONLINE AND
10 BLENDED LEARNING AND TO LEAD, MANAGE, AND ADMINISTER THE
11 STATEWIDE SUPPLEMENTAL ONLINE AND BLENDED LEARNING PROGRAM IN
12 ACCORDANCE WITH THIS SECTION.

13 (a.5) ~~The general assembly also finds that the goals of online~~
14 ~~courses and blended learning strategies are to:~~

15 (I) ~~Expand the availability of online courses and blended learning~~
16 ~~strategies;~~

17 (II) ~~Increase the number of students taking high-quality, effective,~~
18 ~~and affordable online courses;~~

19 (III) ~~Establish a program to work with school districts, charter~~
20 ~~schools, and BOCES to create, offer, and sustain their own high-quality,~~
21 ~~effective, and affordable blended learning courses, as well as targeted~~
22 ~~professional development and mentoring support;~~

23 (IV) ~~Increase the capacity of educators in school districts, charter~~
24 ~~schools, and BOCES to utilize standards, data, and interventions in~~
25 ~~regular, online, and blended learning classes; and~~

26 (V) ~~Document and share best practices in online and blended~~
27 ~~learning.~~

1 (b) ~~It is further the intent of~~ The general assembly DECLARES that
2 the amount necessary to ~~reduce the cost to school districts, charter~~
3 ~~schools, and BOCES of purchasing supplemental online education~~
4 ~~courses~~ IMPLEMENT THE STATEWIDE SUPPLEMENTAL ONLINE AND
5 BLENDED LEARNING PROGRAM MAY be appropriated ~~annually~~ from federal
6 mineral leasing revenues transferred to the state public school fund
7 pursuant to section 34-63-102, C.R.S., and section 22-54-114 (1).

8 (c) THE GENERAL ASSEMBLY FURTHER DECLARES THAT, FOR
9 PURPOSES OF SECTION 17 OF ARTICLE IX OF THE STATE CONSTITUTION, THE
10 STATEWIDE SUPPLEMENTAL ONLINE AND BLENDED LEARNING PROGRAM IS
11 AN IMPORTANT ELEMENT IN IMPLEMENTING ACCOUNTABLE EDUCATION
12 REFORM AND ENABLING SCHOOL DISTRICTS, CHARTER SCHOOLS, AND
13 BOCES TO MEET STATE ACADEMIC STANDARDS AND MAY THEREFORE
14 RECEIVE FUNDING FROM THE STATE EDUCATION FUND CREATED IN SECTION
15 17 (4) OF ARTICLE IX OF THE STATE CONSTITUTION.

16 ~~(2)~~ (3) As used in this section, unless the context otherwise
17 requires:

18 (a) "ADMINISTERING BOCES" MEANS THE BOCES THAT THE
19 DEPARTMENT DESIGNATES AS PROVIDED IN SUBSECTION (4) OF THIS
20 SECTION.

21 (b) "BLENDED LEARNING" MEANS A FORMAL EDUCATION PROGRAM
22 THROUGH WHICH A STUDENT LEARNS AT LEAST IN PART THROUGH DIGITAL
23 CONTENT WITH SOME ELEMENT OF STUDENT CONTROL AND AT LEAST IN
24 PART AT A SUPERVISED PHYSICAL LOCATION THAT IS NOT THE STUDENT'S
25 HOME.

26 ~~(a)~~ (c) "BOCES" means a board of cooperative services created
27 pursuant to this article.

1 ~~(b)~~ (d) "Charter school" means a district charter school authorized
2 pursuant to part 1 of article 30.5 of this title or an institute charter school
3 authorized pursuant to part 5 of article 30.5 of this title.

4 ~~(c)~~ (e) "Department" means the department of education created
5 and existing pursuant to section 24-1-115, C.R.S.

6 (f) "LOCAL PUBLIC EDUCATION AGENCY" MEANS A SCHOOL
7 DISTRICT, BOCES, OR CHARTER SCHOOL.

8 ~~(d)~~ (g) "Provider" means ~~an~~ A NONPROFIT entity OR A LOCAL
9 PUBLIC EDUCATION AGENCY that ~~sells~~ PROVIDES:

10 (I) Supplemental online education courses that are taught by
11 employees of the provider who are teachers licensed in Colorado pursuant
12 to article 60.5 of this title;

13 (II) PROFESSIONAL DEVELOPMENT RESOURCES FOR TEACHERS; OR

14 (III) CONSULTING SERVICES FOR SCHOOL DISTRICTS, CHARTER
15 SCHOOLS, AND BOCES WITH REGARD TO PROVIDING SUPPLEMENTAL
16 ONLINE EDUCATION COURSES AND BLENDED LEARNING.

17 (h) "SMALL RURAL SCHOOL DISTRICT" MEANS A SCHOOL DISTRICT
18 IN COLORADO THAT THE DEPARTMENT DETERMINES IS RURAL, BASED ON
19 THE GEOGRAPHIC SIZE OF THE SCHOOL DISTRICT AND THE DISTANCE OF THE
20 SCHOOL DISTRICT FROM THE NEAREST LARGE, URBANIZED AREA, AND THAT
21 ENROLLS FEWER THAN ONE THOUSAND STUDENTS IN KINDERGARTEN
22 THROUGH TWELFTH GRADE.

23 (i) "STATEWIDE SUPPLEMENTAL ONLINE AND BLENDED LEARNING
24 PROGRAM" OR "PROGRAM" MEANS THE PROGRAM DESCRIBED IN
25 SUBSECTION (4) OF THIS SECTION.

26 ~~(c)~~ (j) "Supplemental online education course" means an
27 education course that is:

1 (I) Taught by a teacher who is licensed pursuant to article 60.5 of
2 this title;

3 (II) Delivered via ~~an internet~~ A TECHNOLOGICALLY ENHANCED
4 format to one or more students at a location that is remote from the
5 delivery point; and

6 (III) ~~Purchased~~ DEVELOPED by a school district, charter school, or
7 BOCES OR OBTAINED from a provider to augment the education program
8 provided by the school district, charter school, or BOCES.

9 (4) (a) THE DEPARTMENT, IN CONSULTATION WITH THE STATEWIDE
10 ASSOCIATION OF BOCES, SHALL DESIGNATE A BOCES TO LEAD, MANAGE,
11 AND ADMINISTER THE STATEWIDE SUPPLEMENTAL ONLINE AND BLENDED
12 LEARNING PROGRAM AS PROVIDED IN THIS SECTION. IN ADMINISTERING
13 THE PROGRAM, THE BOCES, SUBJECT TO AVAILABLE APPROPRIATIONS,
14 SHALL SELECT AND CONTRACT WITH PROVIDERS IN ACCORDANCE WITH
15 SUBSECTION (6) OF THIS SECTION TO PROVIDE THE RESOURCES DESCRIBED
16 IN PARAGRAPH (b) OF SUBSECTION (5) OF THIS SECTION. **AT LEAST EVERY**
17 **FIVE YEARS, THE DEPARTMENT, IN CONSULTATION WITH THE STATEWIDE**
18 **ASSOCIATION OF BOCES, SHALL REVIEW THE DESIGNATION OF THE**
19 **ADMINISTERING BOCES AND MAY CONTINUE THE DESIGNATION OR**
20 **SELECT A DIFFERENT BOCES.**

21 (b) THE ADMINISTERING BOCES SHALL MANAGE AND ADMINISTER
22 THE PROGRAM TO ACHIEVE, AT A MINIMUM, THE FOLLOWING GOALS:

23 (I) EXPANDING THE AVAILABILITY OF SUPPLEMENTAL ONLINE
24 EDUCATION COURSES AND BLENDED LEARNING STRATEGIES;

25 (II) INCREASING SIGNIFICANTLY THE NUMBER OF STUDENTS WHO
26 ENROLL IN HIGH-QUALITY, EFFECTIVE, AND AFFORDABLE SUPPLEMENTAL
27 ONLINE EDUCATION COURSES;

1 (III) WORKING WITH SCHOOL DISTRICTS, CHARTER SCHOOLS, AND
2 BOCES TO CREATE, OFFER, AND SUSTAIN THEIR OWN HIGH-QUALITY,
3 EFFECTIVE, AND AFFORDABLE SUPPLEMENTAL ONLINE EDUCATION
4 COURSES AND BLENDED LEARNING, AS WELL AS TARGETED PROFESSIONAL
5 DEVELOPMENT AND MENTORING SUPPORT;

6 (IV) ASSISTING EDUCATORS IN LOCAL PUBLIC EDUCATION
7 AGENCIES TO INCREASE THEIR COMPETENCY SPECIFICALLY IN USING
8 DIGITAL LEARNING STRATEGIES TO LEAD AND INSTRUCT IN, AND
9 OTHERWISE IMPLEMENT, DIGITAL LEARNING; AND

10 (V) DOCUMENTING AND SHARING BEST PRACTICES IN PROVIDING
11 SUPPLEMENTAL ONLINE EDUCATION COURSES AND BLENDED LEARNING.

12 (5) (a) IN LEADING THE STATEWIDE SUPPLEMENTAL ONLINE AND
13 BLENDED LEARNING PROGRAM, THE ADMINISTERING BOCES, IN
14 PARTNERSHIP WITH THE COMMISSIONER OF EDUCATION, THE STATE BOARD
15 OF EDUCATION AND ONE OR MORE PRIVATE, NONPROFIT ENTITIES, SHALL
16 PREPARE A PLAN FOR INTEGRATING SUPPLEMENTAL ONLINE AND BLENDED
17 LEARNING INTO THE EDUCATIONAL PROGRAMS PROVIDED BY SCHOOL
18 DISTRICTS, CHARTER SCHOOLS, AND BOCES. EACH SCHOOL DISTRICT,
19 CHARTER SCHOOL, AND BOCES MAY DETERMINE THE EXTENT TO WHICH
20 IT PARTICIPATES IN THE STATEWIDE PLAN.

21 (b) THE ADMINISTERING BOCES SHALL ENSURE THAT, THROUGH
22 THE PROGRAM, ALL SCHOOL DISTRICTS, CHARTER SCHOOLS, AND BOCES
23 IN THE STATE HAVE ACCESS TO:

24 (I) SUPPLEMENTAL ONLINE AND BLENDED LEARNING RESOURCES,
25 INCLUDING, AT A MINIMUM, SUPPLEMENTAL ONLINE EDUCATION COURSES
26 AVAILABLE FROM CONTRACT PROVIDERS OR FROM A SCHOOL DISTRICT,
27 CHARTER SCHOOL, OR BOCES AND A LIBRARY OF DIGITAL COURSE

1 CONTENT;

2 (II) PROFESSIONAL DEVELOPMENT RESOURCES FOR TEACHERS,
3 INCLUDING RESOURCES FOR CERTIFYING TEACHERS' ABILITY TO
4 SUCCESSFULLY INTEGRATE SUPPLEMENTAL ONLINE AND BLENDED
5 LEARNING RESOURCES INTO SCHOOL-BUILDING-BASED EDUCATIONAL
6 PROGRAMS; AND

7 (III) CONSULTING ASSISTANCE FOR SCHOOL DISTRICTS, CHARTER
8 SCHOOLS, AND BOCES THAT CHOOSE TO USE SUPPLEMENTAL ONLINE AND
9 BLENDED LEARNING FOR STUDENTS, INCLUDING AN INVENTORY OF
10 SUCCESSFUL MODELS FOR INTEGRATING SUPPLEMENTAL ONLINE
11 EDUCATION COURSES AND BLENDED LEARNING INTO
12 SCHOOL-BUILDING-BASED EDUCATIONAL PROGRAMS.

13 (c) THE ADMINISTERING BOCES SHALL ACTIVELY MARKET TO
14 SCHOOL DISTRICTS, CHARTER SCHOOLS, AND BOCES THE AVAILABILITY
15 OF RESOURCES THROUGH THE STATEWIDE SUPPLEMENTAL ONLINE AND
16 BLENDED LEARNING PROGRAM.

17 (d) THE ADMINISTERING BOCES MAY ENTER INTO AN AGREEMENT
18 WITH THE STATEWIDE INTERNET PORTAL AUTHORITY CREATED IN ARTICLE
19 37.7 OF TITLE 24, C.R.S., TO PROVIDE THE PLATFORM FOR ACCESSING
20 SERVICES AND PROGRAMS AVAILABLE THROUGH THE STATEWIDE
21 SUPPLEMENTAL ONLINE AND BLENDED LEARNING PROGRAM.

22 ~~(3) (6) (a) On or before February 15, 2015, and on or before~~
23 ~~February 15 of every third year thereafter, the BOCES designated~~
24 ~~pursuant to subsection (4) of this section shall, subject to available~~
25 ~~appropriations, create~~ THE ADMINISTERING BOCES SHALL ESTABLISH a
26 fair and transparent request for a proposal process to ~~select one or more~~
27 ~~nonprofit~~ USE WHEN SELECTING providers to provide resources for school

1 ~~districts, charter schools, and BOCES in the form of supplemental online~~
2 ~~course offerings, professional development for educators, and consulting~~
3 ~~assistance for school districts, charter schools, and BOCES wanting to~~
4 ~~use online and blended learning for students. Proposals received in~~
5 ~~response to the request for proposals must be reviewed by a committee~~
6 ~~consisting of~~ AS DESCRIBED IN PARAGRAPH (b) OF SUBSECTION (5) OF THIS
7 SECTION THROUGH THE STATEWIDE SUPPLEMENTAL ONLINE AND BLENDED
8 LEARNING PROGRAM. THE REQUEST FOR PROPOSAL PROCESS MUST
9 INCLUDE INPUT FROM A REVIEW COMMITTEE AS DESCRIBED IN PARAGRAPH
10 (b) OF THIS SUBSECTION (6) THAT THE ADMINISTERING BOCES CONVENES
11 AS NEEDED.

12 (b) THE REVIEW COMMITTEE CONSISTS OF:

13 (I) A representative from the ~~designated~~ ADMINISTERING BOCES;

14 (II) A representative from the office in the department responsible
15 for online and blended learning; ■

16 (III) THE FOLLOWING MEMBERS SELECTED JOINTLY BY THE
17 ADMINISTERING BOCES AND THE DEPARTMENT:

18 (A) A national expert in online and blended learning; ~~to be~~
19 ~~selected by the designated BOCES and the department;~~

20 (B) An administrator from A SCHOOL THAT IS DESIGNATED an
21 alternative education campus ~~school to be selected by the designated~~
22 ~~BOCES and the department~~ AS PROVIDED IN SECTION 22-7-604.5; and

23 (C) An administrator from a school that ~~purchases~~ OBTAINS online
24 or blended services ~~to be selected by the designated BOCES and the~~
25 ~~department. The committee must convene at least ninety days prior to the~~
26 ~~release of the request for proposals~~ THROUGH THE PROGRAM; AND

27 (IV) TWO EDUCATORS AS FOLLOWS:

1 (A) ONE EDUCATOR APPOINTED BY THE GOVERNOR, OR HIS OR HER
2 DESIGNEE, WHO HAS EXPERIENCE WITH SUPPLEMENTAL ONLINE
3 EDUCATION OR BLENDED LEARNING; AND

4 (B) ONE EDUCATOR SELECTED BY THE DEPARTMENT WHO IS
5 EMPLOYED IN A SMALL RURAL SCHOOL DISTRICT. THE DEPARTMENT IS
6 ENCOURAGED TO SELECT AN EDUCATOR WHO HAS EXPERIENCE WITH
7 SUPPLEMENTAL ONLINE EDUCATION OR BLENDED LEARNING.

8 (c) The REVIEW committee shall review all proposals using an
9 established ~~rubric~~ RUBRICS and shall recommend one or more providers
10 for approval to the ADMINISTERING BOCES. ~~designated pursuant to~~
11 ~~subsection (4) of this section.~~ If the ~~designated~~ ADMINISTERING BOCES
12 chooses not to follow the recommendations of the REVIEW committee
13 concerning any A provider, it shall provide the REVIEW committee with a
14 written explanation of ~~its rationale for so doing~~ THE RATIONALE FOR THE
15 DECISION.

16 (d) A PROVIDER THAT THE ADMINISTERING BOCES CONTRACTS
17 WITH PURSUANT TO THIS SUBSECTION (6) MAY SUBCONTRACT WITH ONE OR
18 MORE FOR-PROFIT OR NONPROFIT ENTITIES, LOCAL PUBLIC EDUCATION
19 AGENCIES, OR PRIVATE ORGANIZATIONS IN MEETING THE OBLIGATIONS OF
20 ITS CONTRACT WITH THE ADMINISTERING BOCES.

21 ~~(3.3)~~(7) Supplemental online education courses must be provided
22 to a ~~purchasing~~ school district, charter school, or BOCES at an affordable
23 total program cost for high-quality, accredited courses with local support.

24 ~~(3.5)~~(8) Each high school student in Colorado may take at least
25 one supplemental online course per year. ~~The~~ EACH supplemental online
26 course CONTRACT provider shall report to the ADMINISTERING BOCES
27 ~~designated pursuant to subsection (4) of this section which~~ INFORMATION

1 CONCERNING THE students ~~are participating~~ WHO PARTICIPATE in THE
2 supplemental online courses ~~so~~ TO ENABLE the ADMINISTERING BOCES
3 ~~designated pursuant to subsection (4) of this section can~~ TO track student
4 THE STUDENTS' academic performance ~~for those students taking~~ IN THE
5 supplemental online courses. The ADMINISTERING BOCES ~~designated~~
6 ~~pursuant to subsection (4) of this section~~ shall annually collect data
7 related to completion and passage rates from ~~any nonprofit~~ THE providers
8 ~~selected~~ CONTRACTED to provide SUPPLEMENTAL online and blended
9 learning and report that data to the department. The ~~data collected by the~~
10 department ~~must be collected~~ SHALL COLLECT THE DATA through existing
11 student data collection systems and in compliance with all state and
12 federal laws and regulations concerning the privacy of information,
13 including but not limited to the federal "Family Education Rights and
14 Privacy Act of 1974", 20 U.S.C. sec. 1232g, as amended.

15 (4) (9) The general assembly shall annually appropriate to the
16 department ~~of education~~ for allocation to a ~~BOCES designated, in~~
17 ~~consultation with the statewide association of BOCES, moneys~~ THE
18 ADMINISTERING BOCES AN AMOUNT sufficient to administer THE
19 STATEWIDE SUPPLEMENTAL ONLINE AND BLENDED LEARNING PROGRAM
20 and fund ~~any contract entered into with a provider~~ THE CONTRACTS
21 ENTERED INTO WITH PROVIDERS pursuant to this section. The ~~designated~~
22 ADMINISTERING BOCES may expend ~~not more than two~~ UP TO TEN
23 percent of ~~the contract amount in administering any such contract~~ THE
24 AMOUNT ANNUALLY APPROPRIATED TO OFFSET ITS COSTS INCURRED IN
25 LEADING, MANAGING, AND ADMINISTERING THE PROGRAM.

26 (5) (10) (a) On or before March 15, ~~2008~~ 2017, and on or before
27 March 15 each year thereafter, the ~~designated~~ ADMINISTERING BOCES

1 shall submit to the education committees of the house of representatives
2 and the senate, or any successor committees, the joint budget committee
3 of the general assembly, THE STATE BOARD OF EDUCATION, and the
4 department a report summarizing the provision of supplemental online
5 courses pursuant to this section CONCERNING IMPLEMENTATION AND USE
6 OF THE STATEWIDE SUPPLEMENTAL ONLINE AND BLENDED LEARNING
7 PROGRAM FOR THE PRECEDING SCHOOL YEAR. At a minimum, the report
8 must include:

9 (a) ~~The number of registrants in supplemental online courses,~~
10 ~~disaggregated by the school district, charter school, or BOCES that~~
11 ~~registered the students;~~

12 (b) ~~The supplemental online course titles offered and the number~~
13 ~~of registrants per course;~~

14 (c) ~~Completion statistics for each supplemental online course,~~
15 ~~disaggregated by semester;~~

16 (d) ~~The number of supplemental online courses taken for both~~
17 ~~high school and postsecondary credit, disaggregated by postsecondary~~
18 ~~institution and school district;~~

19 (e) ~~A list of the supplemental online courses developed or revised~~
20 ~~by the contract provider;~~

21 (f) ~~The strategies used successfully to facilitate student success in~~
22 ~~supplemental online course work;~~

23 (g) ~~An analysis of the reasons school districts, charter schools, and~~
24 ~~BOCES use supplemental online courses;~~

25 (h) ~~A description of any unique uses of supplemental online~~
26 ~~courses by school districts, charter schools, and BOCES;~~

27 (i) ~~A description of any barriers encountered by school districts;~~

1 ~~charter schools, or BOCES in using supplemental online courses;~~
2 ~~(j) Results from an annual survey of parents, teachers, and~~
3 ~~students regarding participation in and satisfaction with supplemental~~
4 ~~online courses offered by a nonprofit provider with which the BOCES~~
5 ~~designated pursuant to subsection (4) of this section contracted;~~
6 ~~(k) Trend data related to the supplemental online learning~~
7 ~~environment; and~~
8 ~~(l) An accounting of the expenditure of the funds allocated~~
9 ~~pursuant to subsection (4) of this section, which must include an~~
10 ~~accounting by the designated BOCES and any contract providers.~~

11 (b) THIS SUBSECTION (10) IS EXEMPT FROM THE PROVISIONS OF
12 SECTION 24-1-136 (11), C.R.S., AND THE ANNUAL REPORTING
13 REQUIREMENTS OF THIS SUBSECTION (10) ARE EFFECTIVE UNTIL CHANGED
14 BY THE GENERAL ASSEMBLY ACTING BY BILL.

15 ~~(6) Repealed.~~

16 **SECTION 2. Appropriation.** For the 2016-17 state fiscal year,
17 \$480,000 is appropriated to the department of education. This
18 appropriation is from the state public school fund created in section
19 22-54-114 (1), C.R.S. To implement this act, the department may use this
20 appropriation for the statewide supplemental online and blended learning
21 program.

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