

CHAPTER 150

EDUCATION - PUBLIC SCHOOLS

SENATE BILL 19-216

BY SENATOR(S) Bridges, Garcia, Cooke, Crowder, Danielson, Gonzales, Lundeen, Marble, Moreno, Pettersen, Priola, Sonnenberg, Story, Tate, Todd, Winter, Woodward;
 also REPRESENTATIVE(S) Bird, Arndt, Buckner, Buentello, Coleman, Cutter, Duran, Esgar, Exum, Galindo, Herod, Hooton, Jackson, Kipp, Lontine, McCluskie, McLachlan, Melton, Michaelson Jenet, Mullica, Roberts, Snyder, Tipper, Titone, Valdez D., Wilson.

AN ACT

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

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

SECTION 1. In Colorado Revised Statutes, **add** article 35.6 to title 22 as follows:

ARTICLE 35.6
High School Innovative Learning Pilot Program

22-35.6-101. Legislative declaration. THE GENERAL ASSEMBLY FINDS THAT IT IS IMPORTANT THAT HIGH SCHOOL STUDENTS HAVE OPPORTUNITIES TO ENRICH THEIR EDUCATION BY PARTICIPATING IN INNOVATIVE LEARNING OPPORTUNITIES THAT OCCUR OUTSIDE THE CLASSROOM, SUCH AS WORKING IN APPRENTICESHIPS OR RESIDENCY PROGRAMS, ENROLLING IN POSTSECONDARY COURSES TAUGHT ON COLLEGE CAMPUSES, COMPLETING CAPSTONE PROJECTS, AND ENGAGING IN COMPETENCY-BASED LEARNING PROJECTS. THESE OPPORTUNITIES ASSIST STUDENTS IN DEVELOPING ESSENTIAL SKILLS IN THE AREAS OF PERSONAL SKILLS, ENTREPRENEURIAL SKILLS, CIVIC AND INTERPERSONAL SKILLS, AND PROFESSIONAL SKILLS IDENTIFIED BY THE DEPARTMENT OF EDUCATION AND IN ATTAINING COMPETENCIES BEYOND THE HIGH SCHOOL CURRICULA THAT SUPPORT THE STUDENTS IN SUCCESSFUL TRANSITIONS FROM HIGH SCHOOL INTO POSTSECONDARY EDUCATION OR DIRECTLY INTO THE WORKFORCE. THE GENERAL ASSEMBLY FURTHER FINDS, HOWEVER, THAT THE PUPIL ENROLLMENT COUNT FOR PURPOSES OF SCHOOL FINANCE

Capital letters or bold & italic numbers indicate new material added to existing law; dashes through words or numbers indicate deletions from existing law and such material is not part of the act.

IS BASED ON SEAT-TIME REQUIREMENTS; FULL-TIME ENROLLMENT AND FULL PER PUPIL FUNDING ARE BASED ON DEMONSTRATING A MINIMUM NUMBER OF TEACHER-PUPIL INSTRUCTION AND CONTACT HOURS. THE CHALLENGES OF ACCURATELY TRACKING STUDENTS' TIME INSIDE AND OUTSIDE OF THE CLASSROOM LEAD MANY LOCAL EDUCATION PROVIDERS TO AVOID THE RISK OF OFFERING THESE TYPES OF INNOVATIVE LEARNING OPPORTUNITIES. THE GENERAL ASSEMBLY FINDS, THEREFORE, THAT IT IS IN THE BEST INTERESTS OF THE STATE AND THE HIGH SCHOOL STUDENTS IN THE STATE TO ENCOURAGE GREATER PARTICIPATION IN INNOVATIVE LEARNING OPPORTUNITIES BY ALLOWING SELECTED LOCAL EDUCATION PROVIDERS TO COUNT THE STUDENTS WHO ARE ENROLLED IN HIGH SCHOOL AND ARE PARTICIPATING IN INNOVATIVE LEARNING OPPORTUNITIES AS FULL-TIME PUPILS, REGARDLESS OF THE ACTUAL AMOUNT OF TIME THE STUDENTS MAY SPEND IN THE CLASSROOM.

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

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

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

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

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

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

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

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

(8) "RURAL LOCAL EDUCATION PROVIDER" MEANS:

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

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

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

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

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

22-35.6-103. High school innovative learning pilot program - created - rules.

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

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

22-35.6-104. High school innovative learning pilot program - application -

requirements. (1) TO PARTICIPATE IN THE PILOT PROGRAM, A LOCAL EDUCATION PROVIDER OR A GROUP OF LOCAL EDUCATION PROVIDERS MUST APPLY TO THE DEPARTMENT IN ACCORDANCE WITH THE TIMELINES AND PROCEDURES ESTABLISHED BY RULE OF THE STATE BOARD. A DISTRICT CHARTER SCHOOL MAY PARTICIPATE IN THE PILOT PROGRAM AS PART OF ITS AUTHORIZING SCHOOL DISTRICT OR APPLY TO PARTICIPATE IN THE PILOT PROGRAM INDEPENDENTLY. A BOARD OF COOPERATIVE SERVICES MAY APPLY ON BEHALF OF ITS MEMBER SCHOOL DISTRICTS OR TO IMPLEMENT AN INNOVATIVE LEARNING PLAN IN A PUBLIC HIGH SCHOOL OPERATED BY THE BOARD OF COOPERATIVE SERVICES. AN APPLICATION MUST INCLUDE:

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

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

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

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

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

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

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

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

(2) IN DESIGNING THE INNOVATIVE LEARNING PLAN, A LOCAL EDUCATION PROVIDER MAY DESIGN THE PLAN TO ALIGN WITH THE PRINCIPLES FOR STUDENT LEARNING AND TRANSITION IDENTIFIED BY THE EDUCATION LEADERSHIP COUNCIL,

ENSURING THAT THE PLAN PROVIDES STUDENTS WITH:

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

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

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

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

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

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

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

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

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

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

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

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

(d) DESCRIBES THOROUGHLY AND CLEARLY THE PLAN FOR COLLECTING THE EVIDENCE THAT THE LOCAL EDUCATION PROVIDER WILL USE TO EVALUATE THE

EFFECTIVENESS OF THE THEORY OF CHANGE; AND

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

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

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

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

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

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

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

(I) OF THOSE APPLICANTS IN WHICH ANY OF THE STUDENTS ENROLLED IN GRADES NINE THROUGH TWELVE IN THE PRECEDING BUDGET YEAR WERE ENROLLED AS PART-TIME STUDENTS, THE STATE BOARD SHALL SELECT UP TO FIVE APPLICANTS, EACH OF WHICH ENROLLS FEWER THAN FIVE THOUSAND STUDENTS IN GRADES NINE THROUGH TWELVE; AND

(II) OF THOSE APPLICANTS IN WHICH ALL OF THE STUDENTS ENROLLED IN GRADES NINE THROUGH TWELVE IN THE PRECEDING BUDGET YEAR WERE ENROLLED AS

FULL-TIME STUDENTS, THE STATE BOARD SHALL SELECT EACH APPLICANT THAT ADOPTS AN INNOVATIVE LEARNING PLAN THAT THE STATE BOARD DETERMINES:

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Approved: May 10, 2019