

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

REREVISED

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

LLS NO. 21-0646.02 Brita Darling x2241

HOUSE BILL 21-1259

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House Committees
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A BILL FOR AN ACT

101 **CONCERNING THE PROCESS FOR FUNDING LOCAL EDUCATION**
102 **PROVIDERS FOR EXTENDED LEARNING OPPORTUNITIES TO**
103 **ADDRESS DISRUPTED LEARNING.**

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>.)

To the extent possible, the department of education (department) is directed to streamline the application process and other requirements relating to the award of money to local education providers, including school districts, charter schools, and other authorized local education providers, as defined in the bill (local education providers), to implement

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.*

SENATE
3rd Reading Unamended
May 12, 2021

SENATE
2nd Reading Unamended
May 11, 2021

HOUSE
Amended 3rd Reading
April 27, 2021

HOUSE
Amended 2nd Reading
April 26, 2021

one or more extended learning opportunities to address COVID-19 learning impacts. The department is authorized to administer the programs as part of a single, combined application, reporting, and evaluation process created by the department.

Extended learning opportunities are defined in the bill to include, in part, summer school programming, extended school days or extended school weeks, high-impact tutoring, creative enrichment tied to academic gains, social-emotional supports, and additional mental health supports tied to academic success.

The combined application allows a needs-based approach to identify the programs and services that meet the needs of the eligible local education provider and allows the department to help match the local education provider with funding sources. In addition to a combined application, the department is authorized to streamline local-education-provider reporting to the department and department reporting to the general assembly and align reporting deadlines.

The department shall ensure that eligibility requirements, application provisions, allowable uses of funding, data collection and reporting, and any other requirements specific to the program or funding source are met for all programs or services administered pursuant to this section.

The local education provider shall establish an internal progress-monitoring system to monitor progress using family- and community-informed practices to measure extended learning opportunities program effectiveness through student educational gains.

If required by law and subject to available funding, the department shall evaluate one or more extended learning opportunities implemented across local education providers using a common set of evaluation criteria and metrics.

The state board may adopt any rules necessary for the implementation of the combined application, reporting, and evaluation process.

The general assembly may appropriate money to the department for use by local education providers to implement extended learning opportunities.

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

2 **SECTION 1.** In Colorado Revised Statutes, **add** 22-2-122.5 as
3 follows:

4 **22-2-122.5. COVID-19 learning impacts - extended learning**
5 **opportunities - funding - combined application, reporting, and**

1 **evaluation process - rules - legislative declaration - definitions -**

2 **repeal.** (1) THE GENERAL ASSEMBLY FINDS AND DECLARES THAT:

3 (a) ONGOING GAPS IN LEARNING OPPORTUNITIES FOR STUDENTS,
4 INCLUDING OPPORTUNITIES FOR UNDERSERVED STUDENTS AND
5 COMMUNITIES, AND DISRUPTED LEARNING HAVE ACCELERATED DUE TO
6 THE UNPRECEDENTED CHANGES TO THE STUDENT LEARNING ENVIRONMENT
7 AND ACCESS TO EDUCATION DUE TO THE PRESENCE OF THE COVID-19
8 VIRUS IN COLORADO;

9 (b) PURSUANT TO STATE AND FEDERAL LAW, THERE MAY BE A
10 VARIETY OF PROGRAMS AND FUNDING AVAILABLE TO LOCAL EDUCATION
11 PROVIDERS TO ADDRESS THESE LEARNING IMPACTS THROUGH EXTENDED
12 LEARNING OPPORTUNITIES. HOWEVER, NOT ALL LOCAL EDUCATION
13 PROVIDERS HAVE THE NECESSARY RESOURCES, WHETHER TIME, STAFF, OR
14 EXPERTISE, TO NAVIGATE VARIOUS FUNDING OPPORTUNITIES.

15 (c) BECAUSE LOCAL EDUCATION PROVIDERS IN COMMUNITIES
16 ACROSS THE STATE MAY HAVE DIFFERENT NEEDS WITH RESPECT TO
17 ADDRESSING COVID-19 LEARNING IMPACTS, AND BECAUSE THE FUNDING
18 AVAILABLE TO ADDRESS LEARNING IMPACTS MAY BE TIED TO DIFFERENT
19 GOALS AND OBJECTIVES, IT IS MORE EFFICIENT AND A BETTER USE OF THE
20 RESOURCES OF BOTH THE DEPARTMENT AND LOCAL EDUCATION PROVIDERS
21 TO CREATE A STREAMLINED PROCESS FOR LOCAL EDUCATION PROVIDERS
22 TO ACCESS FUNDING FOR EXTENDED LEARNING OPPORTUNITIES BASED ON
23 THE SPECIFIC NEEDS OF THE LOCAL EDUCATION PROVIDER;

24 (d) RATHER THAN COMPLETING MULTIPLE APPLICATIONS WITH
25 DIFFERENT DEADLINES, THE DEPARTMENT HAS THE ABILITY TO CREATE A
26 NEEDS-BASED APPROACH TO THE AWARD OF GRANTS AND OTHER SOURCES
27 OF FUNDING, CREATING A ROBUST PROCESS OF MATCHING A LOCAL

1 EDUCATION PROVIDER'S NEEDS WITH THE EXTENDED LEARNING
2 OPPORTUNITIES THAT MEET THOSE NEEDS; AND

3 (e) THE COMBINED ADMINISTRATION OF GRANT PROGRAMS AND
4 OTHER FUNDING SOURCES ALLOWS FOR MORE EFFICIENT REPORTING ON
5 THE USE AND THE IMPACT OF THE FUNDING, AS WELL AS THE OPPORTUNITY,
6 WITH SUFFICIENT APPROPRIATIONS, TO CONDUCT MORE ROBUST
7 EVALUATIONS OF THE OUTCOMES AND OVERALL EFFECTIVENESS OF THE
8 EXTENDED LEARNING OPPORTUNITIES IMPLEMENTED AT THE LOCAL LEVEL.
9 THE DEPARTMENT OF EDUCATION IS UNIQUELY POSITIONED TO USE THE
10 DATA COLLECTED LOCALLY TO SHARE BEST PRACTICES STATEWIDE FOR
11 THE EFFECTIVE IMPLEMENTATION OF EXTENDED LEARNING OPPORTUNITIES
12 THAT LEAD TO ACADEMIC GAINS ACROSS STUDENT DEMOGRAPHIC GROUPS.

13 (2) AS USED IN THIS SECTION, UNLESS THE CONTEXT OTHERWISE
14 REQUIRES:

15 (a) "EXTENDED LEARNING OPPORTUNITIES" MEANS A PROGRAM OR
16 METHOD OF ACADEMIC SUPPORT BEYOND STANDARD PROGRAMMING OR
17 SCHOOL PRACTICE THAT TAKES PLACE EITHER OUTSIDE OF NORMAL
18 SCHOOL HOURS OR OUTSIDE OF THE REGULAR SCHOOL PROGRAM.
19 "EXTENDED LEARNING OPPORTUNITIES" INCLUDE SUPPLEMENTAL
20 PROGRAMMING THAT ALLOWS A LOCAL EDUCATION PROVIDER TO PROVIDE
21 SUPPLEMENTAL EDUCATION TARGETED AT OPPORTUNITY GAPS AND
22 RECOVERING FROM DISRUPTED LEARNING DUE TO THE PRESENCE OF
23 COVID-19 IN THE STATE. EXAMPLES OF "EXTENDED LEARNING
24 OPPORTUNITIES" INCLUDE BUT ARE NOT LIMITED TO SUMMER SCHOOL
25 PROGRAMMING, EXTENDED SCHOOL DAYS OR EXTENDED SCHOOL WEEKS,
26 HIGH-IMPACT TUTORING, CREATIVE ENRICHMENT TIED TO ACADEMIC
27 GAINS, SOCIAL-EMOTIONAL SUPPORTS, AND ADDITIONAL MENTAL HEALTH

1 SUPPORTS TIED TO ACADEMIC SUCCESS. "EXTENDED LEARNING
2 OPPORTUNITIES" DO NOT INCLUDE AN EDUCATION VOUCHER,
3 SCHOLARSHIP, OR SAVINGS ACCOUNT.

4 (b) "LOCAL EDUCATION PROVIDER" MEANS:

5 (I) A SCHOOL DISTRICT ORGANIZED PURSUANT TO ARTICLE 30 OF
6 THIS TITLE 22;

7 (II) A BOARD OF COOPERATIVE SERVICES CREATED PURSUANT TO
8 ARTICLE 5 OF THIS TITLE 22;

9 (III) A CHARTER SCHOOL AUTHORIZED BY A SCHOOL DISTRICT
10 PURSUANT TO PART 1 OF ARTICLE 30.5 OF THIS TITLE 22;

11 (IV) AN INSTITUTE CHARTER SCHOOL AUTHORIZED BY THE STATE
12 CHARTER SCHOOL INSTITUTE PURSUANT TO PART 5 OF ARTICLE 30.5 OF
13 THIS TITLE 22; AND

14 (V) ANY OTHER PROVIDER OF PUBLIC PRESCHOOL THROUGH
15 SECONDARY SCHOOL EDUCATION IN THE STATE THAT IS ELIGIBLE TO
16 RECEIVE GRANTS OR OTHER FUNDING ADMINISTERED BY THE DEPARTMENT
17 PURSUANT TO THIS SECTION, REGARDLESS OF THE SOURCE, TO ADDRESS
18 LEARNING IMPACTS RESULTING FROM THE PRESENCE OF THE COVID-19
19 VIRUS IN THE STATE.

20 (3) TO THE EXTENT POSSIBLE, THE DEPARTMENT SHALL
21 STREAMLINE THE APPLICATION PROCESS AND OTHER REQUIREMENTS FOR
22 VARIOUS EXTENDED LEARNING OPPORTUNITIES THAT ADDRESS LEARNING
23 IMPACTS RESULTING FROM THE PRESENCE OF THE COVID-19 VIRUS IN THE
24 STATE. THE DEPARTMENT IS AUTHORIZED TO:

25 (a) CREATE A SINGLE, COMBINED APPLICATION FOR LOCAL
26 EDUCATION PROVIDERS TO APPLY FOR GRANT PROGRAMS OR OTHER
27 SOURCES OF FUNDING, REGARDLESS OF THE FUNDING SOURCE, FOR

1 EXTENDED LEARNING OPPORTUNITIES THAT ADDRESS THE NEEDS OF THE
2 LOCAL EDUCATION PROVIDER AND FOR WHICH THE LOCAL EDUCATION
3 PROVIDER IS ELIGIBLE, AND, TO THE EXTENT POSSIBLE, TO ALIGN THE
4 APPLICATION PROCESS AND DEADLINES;

5 (b) IDENTIFY ONE OR MORE EXTENDED LEARNING OPPORTUNITIES
6 AND FUNDING SOURCES THAT MATCH THE NEEDS IDENTIFIED BY THE LOCAL
7 EDUCATION PROVIDER;

8 (c) CREATE STREAMLINED DATA COLLECTION AND COMMON
9 REPORTING REQUIREMENTS FOR LOCAL EDUCATION PROVIDERS FOR
10 EXTENDED LEARNING OPPORTUNITIES ADMINISTERED PURSUANT TO THIS
11 SECTION THAT REDUCE BURDENS ON LOCAL EDUCATION PROVIDERS,
12 MINIMIZING THE NEED FOR A LOCAL EDUCATION PROVIDER TO PROVIDE
13 THE SAME INFORMATION MORE THAN ONE TIME OR TO PROVIDE
14 INFORMATION THAT HAS PREVIOUSLY BEEN PROVIDED TO THE
15 DEPARTMENT, WITH REPORTING DEADLINES TO THE DEPARTMENT THAT
16 FACILITATE THE DEPARTMENT'S REPORTING PURSUANT TO SUBSECTION
17 (3)(d) OF THIS SECTION;

18 (d) STREAMLINE ANNUAL REPORTING BY THE DEPARTMENT TO THE
19 GOVERNOR AND EXECUTIVE BRANCH AGENCIES AND TO THE GENERAL
20 ASSEMBLY CONCERNING EXTENDED LEARNING OPPORTUNITIES
21 ADMINISTERED PURSUANT TO THIS SECTION, ALLOWING COMBINED
22 REPORTS AND COMMON DEADLINES, WITH REPORTING COMMENCING BY OR
23 BEFORE THE DEPARTMENT'S ANNUAL PRESENTATION TO THE LEGISLATIVE
24 COMMITTEE OF REFERENCE IN JANUARY 2023, PURSUANT TO THE "STATE
25 MEASUREMENT FOR ACCOUNTABLE, RESPONSIVE, AND TRANSPARENT
26 (SMART) GOVERNMENT ACT", CREATED IN PART 2 OF ARTICLE 7 OF TITLE
27 2; AND

1 (e) SUBJECT TO AVAILABLE FUNDING FOR THE EVALUATION OF ONE
2 OR MORE EXTENDED LEARNING OPPORTUNITIES, CREATE COMMON DATA
3 COLLECTION AND EVALUATION CRITERIA AND METRICS FOR ALL EXTENDED
4 LEARNING OPPORTUNITIES BEING EVALUATED.

5 (4) THE SINGLE, COMBINED APPLICATION TO APPLY FOR FUNDING
6 FOR EXTENDED LEARNING OPPORTUNITIES PURSUANT TO SUBSECTION
7 (3)(a) OF THIS SECTION, REGARDLESS OF THE FUNDING SOURCE, MUST
8 INCLUDE, AT A MINIMUM:

9 (a) THE LOCAL EDUCATION PROVIDER'S PLAN TO UTILIZE THE
10 FUNDING TO IMPLEMENT EXTENDED LEARNING OPPORTUNITIES, INCLUDING
11 THE TYPE OF EXTENDED LEARNING OPPORTUNITY, THE NUMBER OF
12 STUDENTS TO BE SERVED, THE ESTIMATED COST OF IMPLEMENTING THE
13 EXTENDED LEARNING OPPORTUNITY, AND WHETHER THE LOCAL
14 EDUCATION PROVIDER WILL CONTRACT WITH ANY THIRD-PARTY EXTENDED
15 LEARNING OPPORTUNITY PROVIDER, AND, IF SO, THE NAME OF THE
16 PROPOSED PROVIDER AND THE AMOUNT OF THE PROPOSED CONTRACT;

17 (b) A DESCRIPTION OF THE LOCAL EDUCATION PROVIDER'S
18 INTERNAL PROGRESS-MONITORING AND REPORTING SYSTEM, AS DESCRIBED
19 IN SUBSECTION (7) OF THIS SECTION;

20 (c) THE LOCAL EDUCATION PROVIDER'S TIME FRAME FOR
21 IMPLEMENTING THE EXTENDED LEARNING OPPORTUNITY; AND

22 (d) A DESCRIPTION OF THE LOCAL EDUCATION PROVIDER'S STAFF
23 AND FAMILY ENGAGEMENT EFFORTS TO DETERMINE THE
24 COMMUNITY-INFORMED EXTENDED LEARNING OPPORTUNITY THAT BEST
25 MEETS THE NEEDS OF THE LOCAL EDUCATION PROVIDER.

26 (5) THE STREAMLINED DATA COLLECTION AND COMMON
27 REPORTING REQUIREMENTS FOR LOCAL EDUCATION PROVIDERS PURSUANT

1 TO SUBSECTION (3)(c) OF THIS SECTION ARE SUBJECT TO THE
2 DEPARTMENT'S DATA PRIVACY AND SUPPRESSION POLICIES THAT ARE
3 ALIGNED TO THE "STUDENT DATA TRANSPARENCY AND SECURITY ACT",
4 ARTICLE 16 OF THIS TITLE 22, AND THE FEDERAL "FAMILY EDUCATIONAL
5 RIGHTS AND PRIVACY ACT OF 1974", 20 U.S.C. SEC. 1232g. THE
6 STREAMLINED DATA COLLECTION AND COMMON REPORTING
7 REQUIREMENTS MUST INCLUDE, AT A MINIMUM:

8 (a) A DESCRIPTION OF THE EXTENDED LEARNING OPPORTUNITY
9 AND ITS IMPLEMENTATION BY THE LOCAL EDUCATION PROVIDER
10 RECEIVING FUNDING;

11 (b) WHETHER THE LOCAL EDUCATION PROVIDER CONTRACTED
12 WITH A THIRD-PARTY EXTENDED LEARNING OPPORTUNITY PROVIDER, AND,
13 IF SO, THE NAME OF THE PROVIDER AND THE AMOUNT OF THE CONTRACT;

14 (c) DATA CONCERNING THE NUMBER OF STUDENTS SERVED BY THE
15 LOCAL EDUCATION PROVIDER AS A RESULT OF THE FUNDING AND
16 DEMOGRAPHIC INFORMATION FOR STUDENTS SERVED; AND

17 (d) DATA AND INFORMATION CONCERNING STUDENT ACADEMIC
18 OUTCOMES, AS DEFINED BY THE LOCAL EDUCATION PROVIDER AS PART OF
19 THE APPLICATION, THAT ARE ASSOCIATED WITH THE IMPLEMENTATION
20 AND MONITORING OF THE EXTENDED LEARNING OPPORTUNITY.

21 (6) THE DEPARTMENT'S REPORTING TO THE GENERAL ASSEMBLY
22 PURSUANT TO SUBSECTION (3)(d) OF THIS SECTION MUST INCLUDE, AT A
23 MINIMUM, A SUMMARY OF THE REPORTS SUBMITTED BY LOCAL EDUCATION
24 PROVIDERS PURSUANT TO SUBSECTION (5) OF THIS SECTION, DATA AND
25 INFORMATION RELEVANT TO STUDENT OUTCOMES RESULTING FROM THE
26 IMPLEMENTATION OF THE EXTENDED LEARNING OPPORTUNITY, AND THE
27 OVERALL EFFECTIVENESS OF THE EXTENDED LEARNING OPPORTUNITY.

1 NOTWITHSTANDING SECTION 24-1-136 (11)(a)(I), THE DEPARTMENT'S
2 ANNUAL REPORTING TO THE GENERAL ASSEMBLY PURSUANT TO
3 SUBSECTION (3)(d) OF THIS SECTION CONTINUES SO LONG AS EXTENDED
4 LEARNING OPPORTUNITIES ARE ADMINISTERED BY THE DEPARTMENT
5 PURSUANT TO THIS SECTION.

6 (7) A LOCAL EDUCATION PROVIDER RECEIVING FUNDING TO
7 IMPLEMENT AN EXTENDED LEARNING OPPORTUNITY SHALL ESTABLISH AN
8 INTERNAL PROGRESS-MONITORING SYSTEM TO MONITOR PROGRESS USING
9 FAMILY- AND COMMUNITY-INFORMED PRACTICES TO MEASURE THE
10 EFFECTIVENESS OF THE EXTENDED LEARNING OPPORTUNITY THROUGH
11 STUDENT EDUCATIONAL GAINS. THE INTERNAL PROGRESS-MONITORING
12 SYSTEM MUST ALLOW FOR REPORTING ON SPECIFIC STUDENT
13 DEMOGRAPHIC CATEGORIES, ALLOWING THE SHARING OF BEST PRACTICES
14 ACROSS STUDENT DEMOGRAPHICS AND ACROSS THE STATE.

15 (8) (a) NOTWITHSTANDING THE PROVISIONS OF THIS SECTION, THE
16 DEPARTMENT SHALL ENSURE THAT ELIGIBILITY REQUIREMENTS,
17 APPLICATION REQUIREMENTS, ALLOWABLE USES OF FUNDING, DATA
18 COLLECTION AND REPORTING, AND ANY OTHER REQUIREMENTS SPECIFIC
19 TO THE EXTENDED LEARNING OPPORTUNITY OR FUNDING SOURCE ARE MET
20 FOR ALL EXTENDED LEARNING OPPORTUNITIES AND RELATED GRANT
21 PROGRAMS ADMINISTERED PURSUANT TO THIS SECTION.

22 (b) THE DEPARTMENT SHALL RESERVE A PROPORTIONATE SHARE
23 OF THE MONEY AVAILABLE FOR STATE-FUNDED GRANTS FOR EXTENDED
24 LEARNING OPPORTUNITIES FOR RURAL LOCAL EDUCATION PROVIDERS, AS
25 DETERMINED BY THE DEPARTMENT, AND IS ENCOURAGED TO RESERVE A
26 PROPORTIONATE SHARE OF FEDERAL FUNDING FOR IMPLEMENTATION OF
27 EXTENDED LEARNING OPPORTUNITIES BY RURAL LOCAL EDUCATION

1 PROVIDERS.

2 (9) IF REQUIRED BY LAW AND SUBJECT TO AVAILABLE
3 APPROPRIATIONS, THE DEPARTMENT SHALL EVALUATE ONE OR MORE
4 EXTENDED LEARNING OPPORTUNITIES IMPLEMENTED ACROSS LOCAL
5 EDUCATION PROVIDERS USING A COMMON SET OF EVALUATION CRITERIA
6 AND METRICS.

7 (10) THE STATE BOARD MAY ADOPT ANY RULES NECESSARY FOR
8 THE IMPLEMENTATION OF THIS SECTION.

9 (11) THE GENERAL ASSEMBLY MAY ANNUALLY APPROPRIATE
10 MONEY TO THE DEPARTMENT FOR THE IMPLEMENTATION OF
11 STATE-FUNDED EXTENDED LEARNING OPPORTUNITIES BY LOCAL
12 EDUCATION PROVIDERS.

13 (12) THIS SECTION IS REPEALED, EFFECTIVE JULY 1, 2026.

14 **SECTION 2. Safety clause.** The general assembly hereby finds,
15 determines, and declares that this act is necessary for the immediate
16 preservation of the public peace, health, or safety.