

First Regular Session  
Seventieth General Assembly  
STATE OF COLORADO

INTRODUCED

LLS NO. 15-0501.01 Julie Pelegrin x2700

SENATE BILL 15-201

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SENATE SPONSORSHIP

Kerr and Hill,

HOUSE SPONSORSHIP

Young and Wilson,

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Senate Committees

State, Veterans, & Military Affairs

House Committees

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A BILL FOR AN ACT

101 CONCERNING THE DELIVERY OF QUALITY ON-LINE EDUCATION WITHIN  
102 THE PUBLIC ELEMENTARY AND SECONDARY EDUCATION SYSTEM.

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/bills/summaries>.)*

Under current law, the division of on-line learning (division) within the department of education (department) must certify a multi-district on-line school before the school can operate. The bill continues the certification of multi-district on-line schools until January 1, 2016. On and after that date, the division will no longer certify the school, but will certify a school district, a group of school districts, a

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.*

board of cooperative services, or the state charter school institute (authorizer) that chooses to authorize a multi-district on-line school.

The bill establishes the areas in which an authorizer must meet specified requirements to be certified. An authorizer must renew the certification every 5 years. If an authorizer is already operating or overseeing a multi-district on-line school as of January 1, 2016, the authorizer can continue operating or overseeing the school, but must obtain a certification by January 1, 2021.

The state board of education (state board) must adopt rules concerning the procedures and timelines by which to apply for certification and any additional areas for which an authorizer must meet requirements. The procedures must include an appellate procedure if the division denies an authorizer's application for certification or revokes or does not renew an authorizer's certification. If an authorizer loses its certification, it may continue operating or overseeing the multi-district on-line school for the remainder of the school year in which it loses the certification and for the next school year. The division must facilitate the multi-district on-line school's transition to a new authorizer.

Under current law, the department must develop parameters and guidelines for pilot projects in on-line schools to address measures of student achievement, student count processes and competency-based funding models, tiered interventions, and requirements and responsibilities for student success. The bill adds projects to address the needs of specific student groups in on-line schools. The general assembly is directed to appropriate moneys for the pilot projects, in addition to any gifts, grants, or donations the department may receive.

Under current law, a multi-district on-line school that operates a learning center in a school district that is not the school's authorizing school district must enter into a memorandum of understanding with the school district to operate the learning center. The bill requires a multi-district on-line school to also enter into a memorandum of understanding with a school district that is not the school's authorizer if the school seeks to operate a drop-in center within the school district.

The bill requires the division to:

- ! Study the issue of student mobility into and out of on-line schools and report to the state board and the general assembly; and
- ! Collect data concerning the operations of authorizers and multi-district on-line schools, identify and disseminate information concerning best practices, and make the data available for research in the field of on-line education.

1           **SECTION 1.** In Colorado Revised Statutes, 22-30.7-102, **amend**  
2 (2); and **add** (2.5), (3.5), and (15.5) as follows:

3           **22-30.7-102. Definitions.** As used in this article, unless the  
4 context otherwise requires:

5           (2) "Authorizer" means an entity that authorizes an on-line  
6 program or on-line school. "Authorizer" ~~shall include~~ **INCLUDES** a school  
7 district, ~~any~~ A group of two or more school districts, a board of  
8 cooperative services, ~~created pursuant to section 22-5-104,~~ or the state  
9 charter school institute. ~~established pursuant to section 22-30.5-503.~~

10           (2.5) "BOARD OF COOPERATIVE SERVICES" MEANS A BOARD OF  
11 COOPERATIVE SERVICES CREATED PURSUANT TO ARTICLE 5 OF THIS TITLE.

12           (3.5) "DROP-IN CENTER" MEANS A FACILITY IN WHICH A STUDENT  
13 WHO IS ENROLLED IN AN ON-LINE SCHOOL MAY MEET PERIODICALLY AND  
14 INFORMALLY WITH A TEACHER OR MENTOR, OR MEET WITH OTHER  
15 STUDENTS UNDER THE SUPERVISION OF A TEACHER OR MENTOR, FOR  
16 EDUCATIONAL ASSISTANCE IN PARTICIPATING IN AN ON-LINE SCHOOL. A  
17 PRIVATE HOME IS NOT A "DROP-IN CENTER" UNDER ANY CIRCUMSTANCES.

18           (15.5) "STATE CHARTER SCHOOL INSTITUTE" MEANS THE STATE  
19 CHARTER SCHOOL INSTITUTE ESTABLISHED IN SECTION 22-30.5-503.

20           **SECTION 2.** In Colorado Revised Statutes, 22-30.7-103, **amend**  
21 (2), (3) introductory portion, (3) (b), and (3) (d); and **add** (3) (b.5), (3)  
22 (k.5), (3) (n), and (3) (o) as follows:

23           **22-30.7-103. Division of on-line learning - created - duties -**  
24 **repeal.** (2) **Purposes.** The purposes of the on-line division are:

25           (a) To support on-line programs and on-line schools, students,  
26 parents, authorizers, and other entities related to on-line learning by  
27 providing information and access to available data; ~~and~~

1 (b) (I) To facilitate the certification of multi-district on-line  
2 schools in accordance with rules promulgated by the state board pursuant  
3 to section 22-30.7-106.

4 (II) THIS PARAGRAPH (b) IS REPEALED, EFFECTIVE JANUARY 1,  
5 2016.

6 (c) ON AND AFTER JANUARY 1, 2016, TO FACILITATE THE  
7 CERTIFICATION OF AUTHORIZERS OF MULTI-DISTRICT ON-LINE SCHOOLS IN  
8 ACCORDANCE WITH SECTION 22-30.7-106.5.

9 (3) **Duties.** The on-line division ~~shall have~~ HAS the following  
10 duties:

11 (b) (I) To evaluate applications for certification of multi-district  
12 on-line schools using criteria adopted by rules promulgated by the state  
13 board pursuant to section 22-30.7-106 and to recommend that the state  
14 board grant or deny certification based upon the criteria;

15 (II) THIS PARAGRAPH (b) IS REPEALED, EFFECTIVE JANUARY 1,  
16 2016.

17 (b.5) TO EVALUATE APPLICATIONS FOR CERTIFICATION OF THE  
18 AUTHORIZERS OF MULTI-DISTRICT ON-LINE SCHOOLS BASED ON THE  
19 STANDARDS SPECIFIED IN SECTION 22-30.7-106.5 AND GRANT OR DENY  
20 CERTIFICATION BASED ON THE STANDARDS;

21 (d) To recommend to the state board on or before September 1,  
22 2007, a process, timeline, and standard MOU form for use by  
23 multi-district on-line schools and school districts in crafting memoranda  
24 of understanding pursuant to section 22-30.7-111 regarding the placement  
25 of learning centers within the boundaries of a school district, AND, ON  
26 AND AFTER SEPTEMBER 1, 2015, REGARDING THE PLACEMENT OF DROP-IN  
27 CENTERS WITHIN THE BOUNDARIES OF A SCHOOL DISTRICT. At a minimum,

1 the standard MOU form shall include the information specified in section  
2 22-30.7-111 (1) (b).

3 (k.5) TO USE THE FINAL REPORT OF THE ON-LINE TASK FORCE  
4 CREATED IN SECTION 22-30.7-112, AS IT EXISTED BEFORE JULY 1, 2015,  
5 WHICH WAS SUBMITTED TO THE STATE BOARD AND THE EDUCATION  
6 COMMITTEES OF THE HOUSE OF REPRESENTATIVES AND THE SENATE ON  
7 DECEMBER 29, 2014, AS A BASIS FOR RECOMMENDATIONS FOR  
8 IMPLEMENTING CERTIFICATION OF MULTI-DISTRICT ON-LINE SCHOOL  
9 AUTHORIZERS AS REQUIRED IN SECTION 22-30.7-106.5;

10 (n) TO STUDY THE ISSUE OF STUDENT MOBILITY INTO AND OUT OF  
11 ON-LINE PROGRAMS AND ON-LINE SCHOOLS AND REPORT ITS FINDINGS BY  
12 DECEMBER 2016 TO THE STATE BOARD AND THE EDUCATION COMMITTEES  
13 OF THE SENATE AND THE HOUSE OF REPRESENTATIVES, OR ANY SUCCESSOR  
14 COMMITTEES; AND

15 (o) TO COLLECT DATA CONCERNING THE AUTHORIZATION AND  
16 OVERSIGHT PRACTICES OF AUTHORIZERS OF MULTI-DISTRICT ON-LINE  
17 SCHOOLS AND THE OPERATIONS OF MULTI-DISTRICT ON-LINE SCHOOLS IN  
18 ORDER TO IDENTIFY AND DISSEMINATE TO SCHOOL DISTRICTS, BOARDS OF  
19 COOPERATIVE SERVICES, AND THE STATE CHARTER SCHOOL INSTITUTE  
20 BEST PRACTICES IN AUTHORIZING AND OPERATING MULTI-DISTRICT  
21 ON-LINE SCHOOLS. THE DIVISION SHALL ALSO MAKE THE COLLECTED DATA  
22 AVAILABLE FOR RESEARCH IN THE FIELD OF ON-LINE LEARNING.

23 **SECTION 3.** In Colorado Revised Statutes, 22-30.7-105, **amend**  
24 (1) (a) and (1) (b); and **add** (1) (b.5) as follows:

25 **22-30.7-105. Program criteria - guidelines - quality standards**  
26 **- records - rules - repeal.** (1) (a) A school district and the state charter  
27 school institute ~~established pursuant to section 22-30.5-503~~ are hereby

1 authorized to create or oversee single-district on-line programs or  
2 single-district on-line schools.

3 (b) (I) A school district, a group of two or more school districts,  
4 a board of cooperative services, ~~created pursuant to section 22-5-104,~~ and  
5 the state charter school institute ~~established pursuant to section~~  
6 ~~22-30.5-503~~ are hereby authorized to create or oversee multi-district  
7 on-line schools, subject to the requirement that the authorizer apply to the  
8 on-line division for certification of the multi-district on-line school as  
9 described in section 22-30.7-106.

10 (II) THIS PARAGRAPH (b) IS REPEALED, EFFECTIVE JANUARY 1,  
11 2016.

12 (b.5) (I) BEGINNING JANUARY 1, 2016, A SCHOOL DISTRICT, A  
13 GROUP OF TWO OR MORE SCHOOL DISTRICTS, A BOARD OF COOPERATIVE  
14 SERVICES, AND THE STATE CHARTER SCHOOL INSTITUTE MAY CREATE OR  
15 OVERSEE ONE OR MORE MULTI-DISTRICT ON-LINE SCHOOLS IF THE DIVISION  
16 CERTIFIES THE SCHOOL DISTRICT, GROUP OF SCHOOL DISTRICTS, BOARD OF  
17 COOPERATIVE SERVICES, OR STATE CHARTER SCHOOL INSTITUTE TO  
18 AUTHORIZE MULTI-DISTRICT ON-LINE SCHOOLS AS PROVIDED IN SECTION  
19 22-30.7-106.5.

20 (II) NOTWITHSTANDING THE PROVISIONS OF SUBPARAGRAPH (I) OF  
21 THIS PARAGRAPH (b.5), A SCHOOL DISTRICT, A GROUP OF SCHOOL  
22 DISTRICTS, A BOARD OF COOPERATIVES SERVICES, OR THE STATE CHARTER  
23 SCHOOL INSTITUTE THAT IS OPERATING OR OVERSEEING A MULTI-DISTRICT  
24 ON-LINE SCHOOL AS OF JANUARY 1, 2016, MAY CONTINUE OPERATING OR  
25 OVERSEEING THE MULTI-DISTRICT ON-LINE SCHOOL SO LONG AS THE  
26 DIVISION CERTIFIES THE SCHOOL DISTRICT, GROUP OF SCHOOL DISTRICTS,  
27 BOARD OF COOPERATIVE SERVICES, OR STATE CHARTER SCHOOL INSTITUTE

1 AS PROVIDED IN SECTION 22-30.7-106.5 NO LATER THAN JANUARY 1, 2016.

2 **SECTION 4.** In Colorado Revised Statutes, 22-30.7-106, **amend**  
3 (1); and **add** (9) as follows:

4 **22-30.7-106. Certification of multi-district on-line schools -**  
5 **criteria - rules - repeal.** (1) BEFORE JANUARY 1, 2016, if a school  
6 district, a group of two or more school districts, a board of cooperative  
7 services, ~~created pursuant to section 22-5-104,~~ or the state charter school  
8 institute ~~established pursuant to section 22-30.5-503~~ chooses to authorize  
9 a multi-district on-line school, the school district, group of two or more  
10 school districts, board of cooperative services, or state charter school  
11 institute shall, prior to authorizing the multi-district on-line school, apply  
12 to the on-line division for certification of the multi-district on-line school.

13 (9) THIS SECTION IS REPEALED, EFFECTIVE JANUARY 1, 2016.

14 **SECTION 5.** In Colorado Revised Statutes, **add** 22-30.7-106.5  
15 as follows:

16 **22-30.7-106.5. Certification authorizers of multi-district on-line**  
17 **schools - standards - rules.** (1) (a) ON AND AFTER JANUARY 1, 2016, AN  
18 AUTHORIZER THAT CHOOSES TO AUTHORIZE A MULTI-DISTRICT ON-LINE  
19 SCHOOL MUST BE CERTIFIED BY THE DIVISION PURSUANT TO THIS SECTION  
20 BEFORE AUTHORIZING THE MULTI-DISTRICT ON-LINE SCHOOL.

21 (b) NOTWITHSTANDING ANY PROVISION OF PARAGRAPH (a) OF THIS  
22 SUBSECTION (1) TO THE CONTRARY:

23 (I) AN AUTHORIZER THAT IS OPERATING OR OVERSEEING A  
24 MULTI-DISTRICT ON-LINE SCHOOL AS OF JANUARY 1, 2016, MAY CONTINUE  
25 OPERATING OR OVERSEEING THE MULTI-DISTRICT ON-LINE SCHOOL SO  
26 LONG AS THE DIVISION CERTIFIES THE AUTHORIZER, AS PROVIDED IN THIS  
27 SECTION, NO LATER THAN JANUARY 1, 2021;

1           (II) THE STATE BOARD MAY WAIVE THE CERTIFICATION  
2 REQUIREMENT FOR A SCHOOL DISTRICT OR BOARD OF COOPERATIVE  
3 SERVICES THAT CHOOSES TO AUTHORIZE A MULTI-DISTRICT ON-LINE  
4 SCHOOL IF THE MULTI-DISTRICT ON-LINE SCHOOL ENROLLS TEN OR FEWER  
5 STUDENTS WHO RESIDE OUTSIDE OF THE BOUNDARIES OF THE SCHOOL  
6 DISTRICT OR BOARD OF COOPERATIVE SERVICES;

7           (III) AN AUTHORIZER OF A SINGLE-DISTRICT ON-LINE PROGRAM OR  
8 ON-LINE SCHOOL THAT BECOMES A MULTI-DISTRICT ON-LINE SCHOOL IS  
9 NOT REQUIRED TO BE CERTIFIED PURSUANT TO THIS SECTION IF TEN OR  
10 FEWER STUDENTS FROM OUTSIDE THE SCHOOL DISTRICT IN WHICH THE  
11 SINGLE-DISTRICT ON-LINE PROGRAM OR ON-LINE SCHOOL IS OPERATING  
12 ENROLL IN THE MULTI-DISTRICT ON-LINE SCHOOL.

13           (2) THE STATE BOARD SHALL PROMULGATE RULES PURSUANT TO  
14 THE "STATE ADMINISTRATIVE PROCEDURE ACT", ARTICLE 4 OF TITLE 24,  
15 C.R.S., AS NECESSARY TO IMPLEMENT THIS SECTION.

16           (3) THE STATE BOARD, BY RULE, SHALL ESTABLISH THE PROCESS  
17 AND TIMELINES BY WHICH AN AUTHORIZER THAT CHOOSES TO AUTHORIZE  
18 A MULTI-DISTRICT ON-LINE SCHOOL MUST APPLY FOR CERTIFICATION. AT  
19 A MINIMUM, THE RULES MUST ENSURE THAT:

20           (a) APPLICATION FORMS ARE AVAILABLE NO LATER THAN  
21 JANUARY 2016;

22           (b) AN APPLICANT MUST SUBMIT AN APPLICATION TO THE DIVISION  
23 NO LATER THAN AUGUST OF THE YEAR PRECEDING THE SCHOOL YEAR IN  
24 WHICH THE MULTI-DISTRICT ON-LINE SCHOOL BEGINS OPERATING; EXCEPT  
25 THAT RULES SHALL SPECIFY THE TIMELINE BY WHICH AN AUTHORIZER  
26 THAT IS OPERATING OR OVERSEEING A MULTI-DISTRICT ON-LINE SCHOOL  
27 AS OF JANUARY 1, 2016, MUST SUBMIT AN APPLICATION;



1 (c) THE APPLICATION PROCESS INCLUDES THE OPPORTUNITY TO  
2 IMMEDIATELY REAPPLY IF THE DIVISION DENIES THE FIRST APPLICATION;  
3 AND

4 (d) THE APPLICATION PROCESS INCLUDES A PROCESS BY WHICH AN  
5 APPLICANT MAY APPEAL TO THE STATE BOARD IF THE DIVISION DENIES A  
6 REAPPLICATION.

7 (4) THE STATE BOARD, BY RULE, SHALL ESTABLISH THE AREAS FOR  
8 WHICH AN AUTHORIZER MUST PROVIDE ASSURANCES OR DEMONSTRATIONS  
9 THAT IT MEETS SPECIFIED REQUIREMENTS IN ORDER TO BE CERTIFIED  
10 PURSUANT TO THIS SECTION. THE DIVISION SHALL CONSIDER THE  
11 REQUIREMENTS FOR EACH OF THE AREAS IN REVIEWING APPLICATIONS FOR  
12 CERTIFICATION AND GRANTING OR DENYING CERTIFICATION. THE STATE  
13 BOARD SHALL CONSIDER THE REQUIREMENTS FOR EACH OF THE AREAS IN  
14 CONSIDERING AN APPEAL OF THE DENIAL OF AN APPLICATION. AT A  
15 MINIMUM, THE AREAS AND REQUIREMENTS MUST INCLUDE THE  
16 FOLLOWING:

17 (a) AUTHORIZER COMMITMENT AND CAPACITY, FOR WHICH AN  
18 APPLICANT MUST PROVIDE:

19 (I) ASSURANCES THAT THE AUTHORIZER'S MISSION STATEMENT  
20 INCLUDES OPERATION OR OVERSIGHT OF A MULTI-DISTRICT ON-LINE  
21 SCHOOL AND THAT:

22 (A) THE AUTHORIZER WILL HOLD THE MULTI-DISTRICT ON-LINE  
23 SCHOOL ACCOUNTABLE FOR ITS PERFORMANCE AND THAT THE  
24 AUTHORIZER HAS EXPERTISE IN IMPLEMENTING AND SUPPORTING ON-LINE  
25 LEARNING; AND

26 (B) THE AUTHORIZER IS ACCOUNTABLE TO THE PUBLIC, INCLUDING  
27 ASSURANCES THAT THE AUTHORIZER WILL EXERCISE THE PROPER

1 STEWARDSHIP OF EDUCATIONAL RESOURCES AND IS COMMITTED TO  
2 OFFERING QUALITY, SUSTAINABLE EDUCATION OPTIONS FOR STUDENTS;

3 (II) DEMONSTRATIONS THAT THE AUTHORIZER HAS SUFFICIENT  
4 INTERNAL OR CONTRACTED STAFFING AND EXPERTISE TO PROVIDE PROPER  
5 OVERSIGHT OF THE MULTI-DISTRICT ON-LINE SCHOOL, INCLUDING:

6 (A) A DESCRIPTION OF AND RATIONALE FOR THE RESPONSIBILITIES  
7 ASSIGNED TO THE AUTHORIZER'S STAFF WHO WILL OPERATE OR OVERSEE  
8 THE MULTI-DISTRICT ON-LINE SCHOOL AND THE STAFF'S QUALIFICATIONS;  
9 AND

10 (B) A PROFESSIONAL DEVELOPMENT PLAN FOR THE AUTHORIZER'S  
11 STAFF WHO WILL OPERATE OR OVERSEE THE MULTI-DISTRICT ON-LINE  
12 SCHOOL;

13 (III) ASSURANCES OF THE AUTHORIZER'S FINANCIAL COMMITMENT  
14 TO PROVIDING SUPPORT TO AND OVERSIGHT OF THE MULTI-DISTRICT  
15 ON-LINE SCHOOL, INCLUDING ANNUALLY REPORTING THE AUTHORIZER'S  
16 EXPENDITURES ON OVERSIGHT AND SUPPORT OF THE MULTI-DISTRICT  
17 ON-LINE SCHOOL. A NEW AUTHORIZER MUST PROVIDE ASSURANCES OF ITS  
18 FINANCIAL COMMITMENT. THE AUTHORIZER OF AN EXISTING  
19 MULTI-DISTRICT ON-LINE SCHOOL MUST PROVIDE DOCUMENTATION OF ITS  
20 EXPENDITURES.

21 (IV) ASSURANCES THAT THE AUTHORIZER IS COMMITTED TO  
22 CONTINUING IMPROVEMENT IN ITS OPERATION OR OVERSIGHT OF THE  
23 MULTI-DISTRICT ON-LINE SCHOOL, INCLUDING A PLAN FOR EVALUATING  
24 THE AUTHORIZER'S PRACTICES, WHICH PRACTICES ARE ALIGNED WITH  
25 ENSURING THE MULTI-DISTRICT ON-LINE SCHOOL MEETS THE QUALITY  
26 STANDARDS SPECIFIED IN SECTION 22-30.7-105 AND IN RULE, AND FOR  
27 CREATING A PLAN FOR IMPROVING PRACTICES, IF NECESSARY. A NEW

1 AUTHORIZER MUST SUBMIT THE PLAN TO THE DIVISION. AN AUTHORIZER  
2 OF AN EXISTING MULTI-DISTRICT ON-LINE SCHOOL MAY PROVIDE  
3 ASSURANCES THAT IT IS IMPLEMENTING THE PLAN.

4 (b) THE AUTHORIZER'S PROCESS FOR REVIEWING AND APPROVING  
5 APPLICATIONS FROM AN ENTITY TO OPERATE A MULTI-DISTRICT ON-LINE  
6 SCHOOL OR THE AUTHORIZER'S PLAN FOR DIRECTLY OPERATING A  
7 MULTI-DISTRICT ON-LINE SCHOOL, WHICH MUST INCLUDE:

8 (I) FOR PURPOSES OF AN APPLICATION PROCESS, DEFINITION OF THE  
9 ROLES AND RESPONSIBILITIES OF THE AUTHORIZER AND THE ENTITY THAT  
10 WILL OPERATE THE MULTI-DISTRICT ON-LINE SCHOOL AND EVIDENCE OF  
11 SUFFICIENT TRAINING AND SUPPORT FOR THE SCHOOL STAFF;

12 (II) ESTABLISHMENT OF RIGOROUS PERFORMANCE STANDARDS FOR  
13 THE MULTI-DISTRICT ON-LINE SCHOOL, WHICH MUST INCLUDE:

14 (A) IDENTIFIED SOURCES FOR EVALUATING STUDENT ACADEMIC  
15 OUTCOMES THAT ARE ALIGNED WITH THE STATE ACCREDITATION SYSTEM  
16 DESCRIBED IN ARTICLE 11 OF THIS TITLE AND THAT THE AUTHORIZER WILL  
17 USE AS THE EVIDENCE BASE FOR MAKING DECISIONS CONCERNING THE  
18 MULTI-DISTRICT ON-LINE SCHOOL. THE SOURCES MAY INCLUDE THE  
19 RESULTS OF STATEWIDE ASSESSMENTS, STUDENT ACADEMIC GROWTH  
20 MEASURES, INTERNAL ASSESSMENTS, QUALITATIVE REVIEWS, AND  
21 PERFORMANCE COMPARISONS WITH OTHER PUBLIC SCHOOLS IN THE STATE.

22 (B) IDENTIFIED SOURCES OF FINANCIAL DATA THAT THE  
23 AUTHORIZER WILL USE IN MAKING DECISIONS CONCERNING THE  
24 MULTI-DISTRICT ON-LINE SCHOOL, WHICH DATA ARE BASED ON  
25 PROFESSIONAL STANDARDS FOR FINANCIAL OPERATIONS AND ADDRESS  
26 SUSTAINABILITY;

27 (C) IDENTIFIED SOURCES OF ORGANIZATIONAL DATA THAT THE

1 AUTHORIZER WILL USE IN MAKING DECISIONS CONCERNING THE  
2 MULTI-DISTRICT ON-LINE SCHOOL, WHICH DATA ADDRESS FULFILLING  
3 LEGAL OBLIGATIONS, FIDUCIARY DUTIES, AND SOUND PUBLIC  
4 STEWARDSHIP;

5 (D) DESCRIPTIONS OF CLEAR, MEASURABLE, AND ATTAINABLE  
6 ACADEMIC, FINANCIAL, AND ORGANIZATIONAL PERFORMANCE STANDARDS  
7 AND TARGETS THAT THE AUTHORIZER WILL APPLY IN DETERMINING THE  
8 CONTINUED OPERATIONS OF THE MULTI-DISTRICT ON-LINE SCHOOL,  
9 INCLUDING BUT NOT LIMITED TO STATE AND FEDERAL MEASURES OF  
10 PERFORMANCE;

11 (E) DESCRIPTIONS OF THE PERFORMANCE MEASURES AND  
12 MECHANISMS AND CONSEQUENCES THAT ARE ALIGNED WITH THE  
13 PERFORMANCE MEASURES, THAT THE AUTHORIZER WILL USE TO HOLD THE  
14 MULTI-DISTRICT ON-LINE SCHOOL ACCOUNTABLE FOR PERFORMANCE;

15 (III) APPLICATION OF RIGOROUS DECISION-MAKING CRITERIA AND  
16 PRACTICES, WHICH MUST INCLUDE:

17 (A) EVIDENCE THAT THE AUTHORIZER HAS DEVELOPED RIGOROUS  
18 APPLICATION OR PLAN EVALUATION CRITERIA AND IMPLEMENTS  
19 TRANSPARENT AND CONSISTENT PROCEDURES FOR MAKING DECISIONS  
20 CONCERNING THE MULTI-DISTRICT ON-LINE SCHOOL; AND

21 (B) EVIDENCE THAT THE AUTHORIZER USES PERFORMANCE  
22 OUTCOMES AS THE PRIMARY BASIS FOR MAKING DECISIONS CONCERNING  
23 THE MULTI-DISTRICT ON-LINE SCHOOL; AND

24 (IV) USE OF A TIMELINE FOR SUBMITTING, REVIEWING, AND  
25 MAKING DECISIONS CONCERNING APPLICATIONS TO OPERATE  
26 MULTI-DISTRICT ON-LINE SCHOOLS AND A TIMELINE FOR THE CONTINUING  
27 OVERSIGHT PROCESSES. FOR A MULTI-DISTRICT ON-LINE SCHOOL THAT IS

1 A CHARTER SCHOOL, THE TIMELINES DESCRIBED IN THIS SUBPARAGRAPH  
2 (IV) MUST COMPLY WITH THE REQUIREMENTS OF PARTS 1 AND 5 OF  
3 ARTICLE 30.5 OF THIS TITLE.

4 (c) CONTINUING OVERSIGHT, EVALUATION, AND ACCOUNTABILITY,  
5 WHICH MUST INCLUDE:

6 (I) A DESCRIPTION OF THE ANNUAL OUTCOMES-BASED REVIEW  
7 PROCESS THAT THE AUTHORIZER WILL USE TO EVALUATE THE  
8 MULTI-DISTRICT ON-LINE SCHOOL. THE DESCRIPTION MUST INCLUDE:

9 (A) A DESCRIPTION OF THE ACTIVITIES INCLUDED IN THE REVIEW  
10 PROCESS AND HOW THE AUTHORIZER WILL USE THE ACTIVITIES IN MAKING  
11 DECISIONS CONCERNING THE MULTI-DISTRICT ON-LINE SCHOOL. THE  
12 ACTIVITIES MUST INCLUDE PHYSICAL OR VIRTUAL SITE VISITS, A REVIEW  
13 OF ENROLLMENT TRENDS, A REVIEW OF SPECIFIED ITEMS OF STUDENT  
14 OUTCOMES DATA, FINANCIAL AUDITS, AND CREATION OF AN ANNUAL  
15 REPORT.

16 (B) A DESCRIPTION OF THE AUTHORIZER'S COMPREHENSIVE  
17 REVIEW OF PERFORMANCE OUTCOME DATA, WHICH INCLUDES REVIEW OF  
18 THE AUTHORIZER'S PERFORMANCE PLAN AND THE MULTI-DISTRICT ON-LINE  
19 SCHOOL'S PERFORMANCE PLAN, ADOPTED PURSUANT TO SECTIONS  
20 22-11-208 AND 22-11-210;

21 (C) A DEMONSTRATION OF THE AUTHORIZER'S EVIDENCE-BASED  
22 DECISION-MAKING THAT HOLDS THE MULTI-DISTRICT ON-LINE SCHOOL  
23 ACCOUNTABLE OR THE PERFORMANCE EXPECTATIONS THAT THE  
24 AUTHORIZER DEFINES IN POLICY;

25 (II) TRANSPARENT COMPLIANCE-MONITORING PROCEDURES AND  
26 SYSTEMS;

27 (III) THE TIMELINE BY WHICH THE AUTHORIZER WILL REVIEW THE

1 MULTI-DISTRICT ON-LINE SCHOOL AT LEAST ANNUALLY AND PROVIDE  
2 FEEDBACK;

3 (IV) ASSURANCES THAT THE PRACTICES THAT THE AUTHORIZER  
4 ADOPTS ARE ALIGNED WITH NATIONAL BEST PRACTICE  
5 RECOMMENDATIONS FOR CONTRACTING WITH AN EDUCATIONAL  
6 MANAGEMENT PROVIDER, INCLUDING REQUIRING THE EDUCATIONAL  
7 MANAGEMENT PROVIDER TO SUBMIT:

8 (A) DOCUMENTATION OF EDUCATIONAL, ORGANIZATIONAL, AND  
9 FINANCIAL PERFORMANCE RECORDS BASED ON THE PROVIDER'S WORK  
10 WITH EXISTING ON-LINE SCHOOLS, IF POSSIBLE;

11 (B) A GROWTH PLAN, A BUSINESS PLAN, AND THE PROVIDER'S  
12 MOST RECENT FINANCIAL AUDITS; AND

13 (C) CLEAR EVIDENCE THAT THE PROVIDER HAS THE CAPACITY TO  
14 OPERATE A NEW SCHOOL SUCCESSFULLY WHILE MAINTAINING QUALITY IN  
15 OPERATING EXISTING ON-LINE SCHOOLS, IF APPLICABLE.

16 (5) A CERTIFICATION GRANTED PURSUANT TO THIS SECTION IS  
17 VALID FOR FIVE SCHOOL YEARS AND MAY BE RENEWED FOR SUCCESSIVE  
18 FIVE-YEAR PERIODS. THE STATE BOARD MAY, BY RULE, ESTABLISH AN  
19 EXPEDITED PROCESS FOR RENEWING A CERTIFICATION SO LONG AS AN  
20 AUTHORIZER IS REQUIRED TO DEMONSTRATE THAT IT MEETS THE  
21 REQUIREMENTS SPECIFIED IN SUBSECTION (4) OF THIS SECTION TO OBTAIN  
22 A RENEWED CERTIFICATION.

23 (6) (a) THE DIVISION MAY DENY, REVOKE, OR NOT RENEW AN  
24 AUTHORIZER'S CERTIFICATION TO OPERATE OR OVERSEE A MULTI-DISTRICT  
25 ON-LINE SCHOOL IF THE DIVISION DETERMINES THAT THE AUTHORIZER  
26 DOES NOT MEET THE REQUIREMENTS SPECIFIED IN SUBSECTION (4) OF THIS  
27 SECTION. AN AUTHORIZER WHOSE CERTIFICATION IS DENIED, REVOKED, OR

1 NOT RENEWED MAY APPEAL TO THE STATE BOARD FOR REVIEW IN  
2 ACCORDANCE WITH STATE BOARD RULES. THE STATE BOARD SHALL GRANT  
3 OR REINSTATE THE AUTHORIZER'S CERTIFICATION IF IT FINDS THAT THE  
4 AUTHORIZER SUBSTANTIALLY MEETS THE REQUIREMENTS SPECIFIED IN  
5 SUBSECTION (4) OF THIS SECTION.

6 (b) IF AN AUTHORIZER THAT IS OPERATING OR OVERSEEING A  
7 MULTI-DISTRICT ON-LINE SCHOOL LOSES ITS CERTIFICATION, THE  
8 AUTHORIZER MAY CONTINUE TO OPERATE OR OVERSEE THE  
9 MULTI-DISTRICT ON-LINE SCHOOL FOR THE REMAINDER OF THE SCHOOL  
10 YEAR IN WHICH THE AUTHORIZER LOSES ITS CERTIFICATION AND FOR THE  
11 NEXT SCHOOL YEAR. THE DIVISION SHALL FACILITATE A MULTI-DISTRICT  
12 ON-LINE SCHOOL'S TRANSITION TO A NEW AUTHORIZER BEFORE THE  
13 COMPLETION OF THE SCHOOL YEAR FOLLOWING THE SCHOOL YEAR IN  
14 WHICH THE MULTI-DISTRICT ON-LINE SCHOOL'S ORIGINAL AUTHORIZER  
15 LOSES ITS CERTIFICATION.

16 **SECTION 6.** In Colorado Revised Statutes, **amend**  
17 22-30.7-109.5 as follows:

18 **22-30.7-109.5. On-line programs and on-line schools - report**  
19 **to authorizer and department - repeal.** (1) Each on-line program and  
20 on-line school shall annually submit to its authorizer and to the  
21 department information, pursuant to state board rules, concerning sound  
22 financial and accounting practices and resources.

23 (2) (a) A multi-district on-line school shall notify its authorizer  
24 and the department of any intent to amend the program's or school's  
25 application for certification, which shall include any intent to expand  
26 grade levels served by the program or school, any intent to change  
27 education service providers, or other intended changes, as defined by the

1 state board. If the department concludes that the on-line program or  
2 on-line school should not be permitted to amend its application for  
3 certification, based on the quality standards established by the state board  
4 pursuant to section 22-30.7-105, the department shall notify the  
5 authorizer and the on-line program or on-line school of its decision within  
6 thirty days of receiving the notification from the program or school. The  
7 authorizer shall then have thirty days to appeal the department's decision  
8 to the state board, pursuant to the state board's administrative policies.

9 (b) THIS SUBSECTION (2) IS REPEALED, EFFECTIVE JANUARY 1,  
10 2016.

11 **SECTION 7.** In Colorado Revised Statutes, **amend** 22-30.7-111  
12 as follows:

13 **22-30.7-111. Learning centers - drop-in centers - memoranda**  
14 **of understanding - rules - appeal process.** (1) (a) A multi-district  
15 on-line school that intends to provide instruction to students within one  
16 or more learning centers OR DROP-IN CENTERS shall, before providing  
17 such instruction, seek to enter into a memorandum of understanding with  
18 each school district in which the multi-district on-line school intends to  
19 provide instruction within a learning center OR A DROP-IN CENTER.

20 (b) A multi-district on-line school that intends to provide  
21 instruction to students within a learning center OR DROP-IN CENTER shall  
22 notify the school district in which the proposed learning center OR  
23 DROP-IN CENTER is located of the multi-district on-line school's intention  
24 in writing at least ninety days before the multi-district on-line school  
25 intends to commence providing such instruction. The notice ~~shall~~ MUST  
26 include the standard MOU form that addresses, at a minimum, the  
27 following information as it applies to each learning center OR DROP-IN



1 CENTER to be located within the school district:

2 (I) A description of any curricula that will be offered by the  
3 multi-district on-line school at the learning center OR DROP-IN CENTER;

4 (II) The proposed location of the learning center OR DROP-IN  
5 CENTER;

6 (III) The grade levels to be served at the learning center OR  
7 DROP-IN CENTER;

8 (IV) The number of students projected to attend the multi-district  
9 on-line school at the learning center OR DROP-IN CENTER;

10 (V) Any building permits or certifications of building safety that  
11 may be required by law;

12 (VI) A list of all staff positions at the learning center OR DROP-IN  
13 CENTER, including a description of duties for each position;

14 (VII) Measures to ensure compliance with state and federal laws  
15 concerning educator licensing and fingerprint-based criminal history  
16 record checks;

17 (VIII) The name of and contact information for the multi-district  
18 on-line school and the names of and contact information for all learning  
19 center OR DROP-IN CENTER administrators; and

20 (IX) The plans for one or more public meetings to be held prior  
21 to the opening of a learning center OR DROP-IN CENTER.

22 (c) Within forty-five days after receiving the notice and standard  
23 MOU form from a multi-district on-line school pursuant to paragraph (b)  
24 of this subsection (1), the school district and the multi-district on-line  
25 school shall meet to discuss the terms of the memorandum of  
26 understanding, based on the standard MOU form provided with the  
27 notice. The school district and the multi-district on-line school may

1 mutually agree to change the information in the standard MOU form  
2 provided with the notice or to include information in the memorandum of  
3 understanding in addition to that included in the standard MOU form.

4 (d) Within forty-five days after receiving the notice and the  
5 standard MOU form pursuant to paragraph (b) of this subsection (1), the  
6 school district and the multi-district on-line school shall hold at least one  
7 public meeting at which they shall receive public input concerning  
8 location of one or more learning centers OR DROP-IN CENTERS within the  
9 school district.

10 (e) No later than forty-five days after the school district receives  
11 the notice and standard MOU form pursuant to paragraph (b) of this  
12 subsection (1), the school district shall notify the multi-district on-line  
13 school, the on-line division, and the state board in writing of the school  
14 district's decision whether to enter into a memorandum of understanding  
15 with the multi-district on-line school for operation of a learning center OR  
16 DROP-IN CENTER within the school district. If the school district does not  
17 provide notice of its decision within forty-five days, the standard MOU  
18 form provided by the multi-district on-line school with the notice shall  
19 ~~become effective~~ TAKES EFFECT on the forty-sixth day following the  
20 school district's receipt of the notice and standard MOU form, and the  
21 multi-district on-line school may proceed under the terms of the standard  
22 MOU form as provided to the school district.

23 (f) A school district may refuse to enter into a memorandum of  
24 understanding with a multi-district on-line school for the operation of a  
25 learning center OR DROP-IN CENTER within the school district only if:

26 (I) The standard MOU form provided by the multi-district on-line  
27 school fails to satisfy the requirements described in paragraph (b) of this

1 subsection (1); or

2 (II) The school district reasonably determines that the  
3 multi-district on-line school is contrary to the best interests of the pupils,  
4 parents, community, or school district.

5 (g) If a school district refuses to enter into a memorandum of  
6 understanding with a multi-district on-line school for operation of a  
7 learning center OR DROP-IN CENTER, the multi-district on-line school may  
8 appeal the school district's decision to the state board pursuant to the  
9 provisions of subsection (6) of this section.

10 (h) Notwithstanding any provision of this section to the contrary,  
11 a multi-district on-line school that seeks to operate a learning center OR  
12 DROP-IN CENTER within a school district ~~shall not be~~ IS NOT required to  
13 enter into a memorandum of understanding with the school district if the  
14 school district is the authorizer of the multi-district on-line school.

15 (i) Notwithstanding any provision of this section to the contrary,  
16 a school district and a multi-district on-line school may mutually agree in  
17 writing to decline to enter into a memorandum of understanding.

18 (j) To ensure that all students have a reasonable opportunity to  
19 benefit from on-line education, a school district and a multi-district  
20 on-line school shall make good faith efforts to craft and enter into a  
21 memorandum of understanding pursuant to the provisions of this section.

22 (2) A memorandum of understanding entered into by a school  
23 district and a multi-district on-line school pursuant to the provisions of  
24 this section ~~shall be~~ IS effective for three years. A school district and a  
25 multi-district on-line school may enter into an unlimited number of  
26 successive memoranda of understanding.

27 (3) If a school district and a multi-district on-line school enter into

1 a memorandum of understanding pursuant to the provisions of this  
2 section, the memorandum of understanding ~~shall~~ MUST include  
3 consideration of all learning centers OR DROP-IN CENTERS that the  
4 multi-district on-line school proposes, at the time the memorandum of  
5 understanding is crafted, to operate within the school district, and the  
6 memorandum of understanding ~~shall supersede~~ SUPERSEDES any  
7 memorandum of understanding previously entered into by the school  
8 district and the multi-district on-line school.

9 (4) (a) If a multi-district on-line school is operating a learning  
10 center OR DROP-IN CENTER within a school district under the terms of a  
11 memorandum of understanding, and the multi-district on-line school  
12 seeks to operate an additional learning center OR DROP-IN CENTER within  
13 the school district, which additional learning center OR DROP-IN CENTER  
14 is not contemplated in an existing memorandum of understanding, the  
15 multi-district on-line school shall provide notice to the school district of  
16 the multi-district on-line school's intention to operate an additional  
17 learning center OR DROP-IN CENTER. The notice ~~shall~~ MUST include the  
18 standard MOU form.

19 (b) Upon receiving notice from a multi-district on-line school as  
20 described in paragraph (a) of this subsection (4), the school district shall  
21 decide whether to seek to craft a new memorandum of understanding with  
22 the multi-district on-line school, and the school district shall notify the  
23 multi-district on-line school of the school district's decision within thirty  
24 days after receiving the notice described in paragraph (a) of this  
25 subsection (4).

26 (c) (I) If the multi-district on-line school receives notice within  
27 thirty days that the school district has decided to seek to craft a new

1 memorandum of understanding, the multi-district on-line school and the  
2 school district shall seek to craft a new memorandum of understanding  
3 pursuant to the provisions of this section.

4 (II) If the multi-district on-line school does not receive notice  
5 within thirty days after the school district's decision, or the multi-district  
6 on-line school receives notice that the school district has decided not to  
7 seek to craft a new memorandum of understanding, the multi-district  
8 on-line school may begin to operate the additional learning center OR  
9 DROP-IN CENTER.

10 (5) (a) On or before October 1, 2007, the state board shall approve  
11 the standard MOU form, which ~~shall~~ MUST, at a minimum, include the  
12 information specified in paragraph (b) of subsection (1) of this section.  
13 The standard MOU form approved by the state board ~~shall~~ MUST be based  
14 on the standard MOU form recommended by the on-line division  
15 pursuant to section 22-30.7-103 (3) (d).

16 (b) ON OR BEFORE OCTOBER 1, 2015, THE STATE BOARD SHALL  
17 APPROVE A REVISION TO THE STANDARD MOU FORM, WHICH MUST  
18 INCLUDE ANY PROVISIONS NECESSARY TO ADDRESS DROP-IN CENTERS. THE  
19 REVISED STANDARD MOU FORM MUST MEET THE MINIMUM  
20 REQUIREMENTS SPECIFIED IN PARAGRAPH (a) OF THIS SUBSECTION (5).

21 (6) (a) On or before January 1, 2008, the state board shall  
22 promulgate rules establishing procedures and timelines by which a  
23 multi-district on-line school may appeal to the state board a decision by  
24 a school district to refuse to enter into a memorandum of understanding  
25 with the multi-district on-line school for the operation of a learning center  
26 OR DROP-IN CENTER within the school district.

27 (b) If the state board determines that a school district's decision to

1 refuse to enter into a memorandum of understanding was contrary to the  
2 best interests of the pupils, parents, community, or school district, the  
3 state board shall MUST issue an order directing the school district to enter  
4 into a final memorandum of understanding with the multi-district on-line  
5 school regarding the placement of one or more learning centers OR  
6 DROP-IN CENTERS within the school district and to use the standard MOU  
7 form provided with the notice pursuant to paragraph (b) of subsection (1)  
8 of this section as the basis for the final memorandum of understanding.

9 (c) Upon receiving notice from a multi-district on-line school that  
10 the multi-district on-line school is appealing a decision by a school  
11 district to refuse to enter into a memorandum of understanding with the  
12 multi-district on-line school, the state board shall resolve the dispute  
13 within forty-five days by either affirming the school district's decision or  
14 issuing an order directing the school district to enter into a memorandum  
15 of understanding with the multi-district on-line school, as described in  
16 paragraph (b) of this subsection (6).

17 (7) (a) Notwithstanding any provision of this section to the  
18 contrary, a multi-district on-line school that operates one or more learning  
19 centers within a school district as of January 1, 2007, may continue to  
20 operate learning centers within the school district until August 1, 2008,  
21 without entering into a memorandum of understanding with the school  
22 district. A multi-district on-line school that operates one or more learning  
23 centers within a school district as of January 1, 2007, shall provide  
24 notification to the school district on or before September 1, 2007, of any  
25 learning centers being operated by the multi-district on-line school within  
26 the school district. The notice shall MUST include the information  
27 described in subparagraphs (I) through (VIII) of paragraph (b) of

1 subsection (1) of this section.

2 (b) NOTWITHSTANDING ANY PROVISION OF THIS SECTION TO THE  
3 CONTRARY, A MULTI-DISTRICT ON-LINE SCHOOL THAT OPERATES ONE OR  
4 MORE DROP-IN CENTERS WITHIN A SCHOOL DISTRICT AS OF SEPTEMBER 1,  
5 2015, MAY CONTINUE TO OPERATE THE DROP-IN CENTERS WITHIN THE  
6 SCHOOL DISTRICT UNTIL JULY 1, 2016, WITHOUT ENTERING INTO A  
7 MEMORANDUM OF UNDERSTANDING WITH THE SCHOOL DISTRICT. A  
8 MULTI-DISTRICT ON-LINE SCHOOL THAT OPERATES ONE OR MORE DROP-IN  
9 CENTERS WITHIN A SCHOOL DISTRICT AS OF SEPTEMBER 1, 2015, SHALL  
10 PROVIDE NOTICE TO THE SCHOOL DISTRICT ON OR BEFORE SEPTEMBER 1,  
11 2015, OF THE DROP-IN CENTERS THAT THE MULTI-DISTRICT ON-LINE  
12 SCHOOL OPERATES WITHIN THE SCHOOL DISTRICT. THE NOTICE MUST  
13 INCLUDE THE INFORMATION DESCRIBED IN SUBPARAGRAPHS (I) TO (VIII)  
14 OF PARAGRAPH (b) OF SUBSECTION (1) OF THIS SECTION.

15 **SECTION 8.** In Colorado Revised Statutes, 22-30.7-113, **amend**  
16 (2) (a), (2) (b), and (4) as follows:

17 **22-30.7-113. On-line pilot programs - interim reports -**  
18 **legislative declaration.** (2) (a) The department shall ~~work with the task~~  
19 ~~force created in section 22-30.7-112 to~~ establish the parameters for,  
20 duration of, and methods for evaluating pilot programs as described in  
21 this section and ~~to~~ issue to authorizers requests for proposals for the pilot  
22 programs. The department shall issue the requests for proposals no later  
23 than ~~October 15, 2014~~ OCTOBER 15, 2015. The pilot programs must begin  
24 operation no later than the ~~2015-16 school year~~ 2016-17 SCHOOL YEAR.

25 (b) The pilot programs may include, but need not be limited to:  
26 (I) A pilot program to use objective, verifiable, and multiple  
27 measures of student achievement as indicators of school quality, which

1 measures align with the Colorado academic standards adopted pursuant  
2 to section 22-7-1005;

3 (II) A PILOT PROGRAM TO DEVELOP AND ASSESS SERVICES THAT  
4 ARE APPROPRIATE FOR ALL STUDENTS, INCLUDING CHILDREN WITH  
5 DISABILITIES, CHILDREN WHO ARE IDENTIFIED AS GIFTED AND TALENTED,  
6 ENGLISH LANGUAGE LEARNERS, AND STUDENTS WHO ARE IDENTIFIED AS  
7 BEING AT RISK OF ACADEMIC FAILURE;

8 ~~(H)~~ (III) A pilot program to use a student-count process that is  
9 based on course completion and student competency rather than  
10 enrollment;

11 ~~(HH)~~ (IV) A pilot program to examine methods of using tiered  
12 interventions in on-line education to support individual students through  
13 a well-integrated system that is matched to students' academic,  
14 social-emotional, and behavioral needs; and

15 ~~(HV)~~ (V) A pilot program to identify and explain the requirements  
16 students must meet and the responsibilities that students must accept to  
17 succeed in on-line education.

18 (4) THE GENERAL ASSEMBLY SHALL APPROPRIATE MONEYS TO THE  
19 DEPARTMENT TO OFFSET THE COSTS INCURRED BY THE DEPARTMENT AND  
20 BY PARTICIPATING AUTHORIZERS IN IMPLEMENTING PILOT PROGRAMS AS  
21 PROVIDED IN THIS SECTION. IN ADDITION, the department may accept and  
22 expend public and private gifts, grants, and donations to offset the costs  
23 incurred by the department and by participating authorizers in  
24 implementing pilot programs pursuant to this section. Notwithstanding  
25 any provision of this section to the contrary, the department must  
26 implement the provisions of this section only if the department receives  
27 appropriations or public or private gifts, grants, or donations in an amount



1 it deems sufficient to offset the costs incurred in implementing pilot  
2 programs pursuant to this section.

3           **SECTION 9. Act subject to petition - effective date.** This act  
4 takes effect at 12:01 a.m. on the day following the expiration of the  
5 ninety-day period after final adjournment of the general assembly  
6 (August 5, 2015, if adjournment sine die is on May 6, 2015); except that,  
7 if a referendum petition is filed pursuant to section 1 (3) of article V of  
8 the state constitution against this act or an item, section, or part of this act  
9 within such period, then the act, item, section, or part will not take effect  
10 unless approved by the people at the general election to be held in  
11 November 2016 and, in such case, will take effect on the date of the  
12 official declaration of the vote thereon by the governor.