

First Regular Session
Seventy-third General Assembly
STATE OF COLORADO

INTRODUCED

LLS NO. 21-0646.02 Brita Darling x2241

HOUSE BILL 21-1259

HOUSE SPONSORSHIP

Bacon,

SENATE SPONSORSHIP

Fields and Sonnenberg,

House Committees
Education

Senate Committees

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.

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 (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, SAVINGS ACCOUNT, OR THE SELF-DIRECTION OF FUNDING BY
4 A STUDENT OR PARENT.

5 (b) "LOCAL EDUCATION PROVIDER" MEANS:

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

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

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

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

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

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

26 (a) CREATE A SINGLE, COMBINED APPLICATION FOR LOCAL
27 EDUCATION PROVIDERS TO APPLY FOR GRANT PROGRAMS OR OTHER

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

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

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

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

2 (a) A DESCRIPTION OF THE EXTENDED LEARNING OPPORTUNITY
3 AND ITS IMPLEMENTATION BY THE LOCAL EDUCATION PROVIDER
4 RECEIVING FUNDING;

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

8 (c) DATA CONCERNING THE NUMBER OF STUDENTS SERVED BY THE
9 LOCAL EDUCATION PROVIDER AS A RESULT OF THE FUNDING AND
10 NONIDENTIFYING DEMOGRAPHIC INFORMATION FOR STUDENTS SERVED;
11 AND

12 (d) NONIDENTIFYING DATA AND INFORMATION CONCERNING
13 STUDENT ACADEMIC OUTCOMES ASSOCIATED WITH THE IMPLEMENTATION
14 AND MONITORING OF THE EXTENDED LEARNING OPPORTUNITY.

15 (6) THE DEPARTMENT'S REPORTING TO THE GENERAL ASSEMBLY
16 PURSUANT TO SUBSECTION (3)(d) OF THIS SECTION MUST INCLUDE, AT A
17 MINIMUM, A SUMMARY OF THE REPORTS SUBMITTED BY LOCAL EDUCATION
18 PROVIDERS PURSUANT TO SUBSECTION (5) OF THIS SECTION, DATA AND
19 INFORMATION RELEVANT TO STUDENT OUTCOMES RESULTING FROM THE
20 IMPLEMENTATION OF THE EXTENDED LEARNING OPPORTUNITY, AND THE
21 OVERALL EFFECTIVENESS OF THE EXTENDED LEARNING OPPORTUNITY.
22 NOTWITHSTANDING SECTION 24-1-136 (11)(a)(I), THE DEPARTMENT'S
23 ANNUAL REPORTING TO THE GENERAL ASSEMBLY PURSUANT TO
24 SUBSECTION (3)(d) OF THIS SECTION CONTINUES SO LONG AS EXTENDED
25 LEARNING OPPORTUNITIES ARE ADMINISTERED BY THE DEPARTMENT
26 PURSUANT TO THIS SECTION.

27 (7) A LOCAL EDUCATION PROVIDER RECEIVING FUNDING TO

1 IMPLEMENT AN EXTENDED LEARNING OPPORTUNITY SHALL ESTABLISH AN
2 INTERNAL PROGRESS-MONITORING SYSTEM TO MONITOR PROGRESS USING
3 FAMILY- AND COMMUNITY-INFORMED PRACTICES TO MEASURE THE
4 EFFECTIVENESS OF THE EXTENDED LEARNING OPPORTUNITY THROUGH
5 STUDENT EDUCATIONAL GAINS. THE INTERNAL PROGRESS-MONITORING
6 SYSTEM MUST ALLOW FOR REPORTING ON SPECIFIC STUDENT
7 DEMOGRAPHIC CATEGORIES, ALLOWING THE SHARING OF BEST PRACTICES
8 ACROSS STUDENT DEMOGRAPHICS AND ACROSS THE STATE.

9 (8) (a) NOTWITHSTANDING THE PROVISIONS OF THIS SECTION, THE
10 DEPARTMENT SHALL ENSURE THAT ELIGIBILITY REQUIREMENTS,
11 APPLICATION PROVISIONS, ALLOWABLE USES OF FUNDING, DATA
12 COLLECTION AND REPORTING, AND ANY OTHER REQUIREMENTS SPECIFIC
13 TO THE EXTENDED LEARNING OPPORTUNITY OR FUNDING SOURCE ARE MET
14 FOR ALL EXTENDED LEARNING OPPORTUNITIES ADMINISTERED PURSUANT
15 TO THIS SECTION.

16 (b) THE DEPARTMENT SHALL RESERVE A PROPORTIONATE SHARE
17 OF THE MONEY AVAILABLE FOR STATE-FUNDED GRANTS FOR EXTENDED
18 LEARNING OPPORTUNITIES FOR RURAL LOCAL EDUCATION PROVIDERS, AS
19 DETERMINED BY THE DEPARTMENT, AND IS ENCOURAGED TO RESERVE A
20 PROPORTIONATE SHARE OF FEDERAL FUNDING FOR IMPLEMENTATION OF
21 EXTENDED LEARNING OPPORTUNITIES BY RURAL LOCAL EDUCATION
22 PROVIDERS.

23 (9) IF REQUIRED BY LAW AND SUBJECT TO AVAILABLE
24 APPROPRIATIONS, THE DEPARTMENT SHALL EVALUATE ONE OR MORE
25 EXTENDED LEARNING OPPORTUNITIES IMPLEMENTED ACROSS LOCAL
26 EDUCATION PROVIDERS USING A COMMON SET OF EVALUATION CRITERIA
27 AND METRICS.

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

3 (11) THE GENERAL ASSEMBLY MAY ANNUALLY APPROPRIATE
4 MONEY TO THE DEPARTMENT FOR THE IMPLEMENTATION OF
5 STATE-FUNDED EXTENDED LEARNING OPPORTUNITIES BY LOCAL
6 EDUCATION PROVIDERS.

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