

# Office Hours-

## Updates to the Rules for the Administration of the Public School Finance Act of 1994

April 16, 2024

# Welcome to the Public School Finance Act Board Rule Update

## Office Hours: Q&A

### Agenda Summary

- Questions received since 3/21/24
- Discussion

The webinar will begin 2 minutes after the hour

[PPT and other resources](#) are available for download

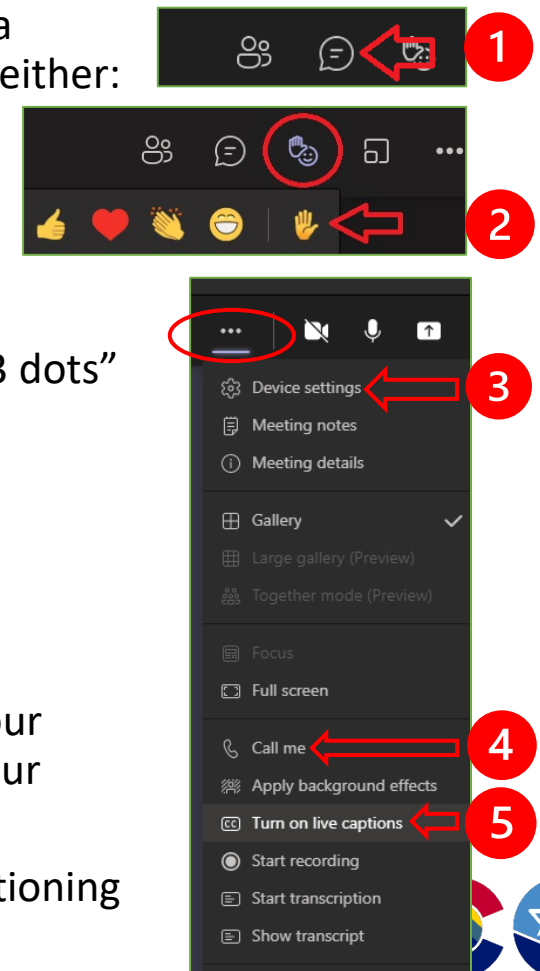
### Using Teams

- Participants are muted; to ask a question, use the top menu to either:

1. Ask in the chat
2. Raise your hand to ask to be unmuted

- For audio issues, click on the “3 dots” menu and either:

3. Check your device settings
4. Click “Call me” and enter your phone # - Teams will ring your phone
5. Turn on automated live captioning





# Instructional Time Under New Rules: The “Big Picture”



Elementary (K-5)	Secondary (6-12)	Online Schools and Programs
<ul style="list-style-type: none"><li>• <b>Direct Instruction</b></li></ul>	<ul style="list-style-type: none"><li>• <b>Direct Instruction</b></li><li>• <b>Alternative Instruction (New)</b></li></ul>	<ul style="list-style-type: none"><li>• Not covered by these Instructional Time rules</li></ul>



# Instruction Types In the Updated Rules



## “Direct teacher-pupil instruction”

[T]he organized delivery of educational content (aligned to state standards where applicable) for pupils enrolled in brick-and-mortar public schools under the supervision of a licensed educator that **takes place synchronously**, when the licensed educator and the pupil are in the **same physical location or** when the licensed educator and the pupil are in the **same virtual classroom**.

Direct instruction also includes engagement with educational content in courses, such as study hall or advisory or credit recovery lab or independent study, that are on-site at a scheduled time during regular school hours and for a set amount of time and where attendance is mandatory.

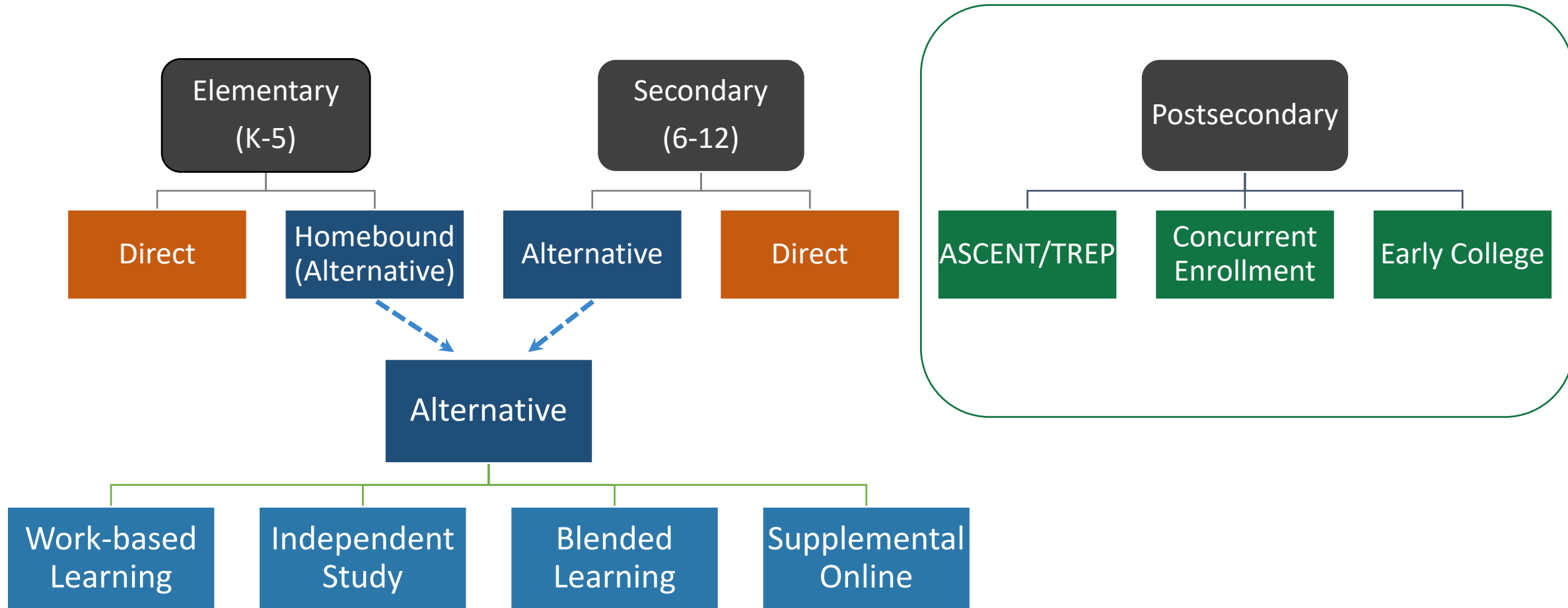
## “Alternative teacher-pupil instruction”

[T]he organized delivery of educational content (aligned to state standards where applicable) for pupils enrolled in a brick-and-mortar public school under the supervision of a licensed educator that **may take place asynchronously**.

# Alternative Teacher-Pupil Instruction



# Instructional Types of Courses In the Updated Rules





# Courses Using Alternative Teacher-Pupil Instruction In the Updated Rules

Course Type	Description
Blended Learning	<ul style="list-style-type: none"><li>• Credit-bearing courses for a student enrolled in a traditional brick-and-mortar school</li><li>• where some of the direct instruction is regularly received in-person and on-site and</li><li>• <b>some</b> of the <b>digitally-delivered asynchronous instruction</b> is received off-site<ul style="list-style-type: none"><li>• (with some element of student control over the time and place of participation).</li></ul></li></ul>
Independent Study	<ul style="list-style-type: none"><li>• Credit-bearing courses</li><li>• in which <b>some</b> or <b>all</b> of the course is being completed <b>off-site, independently</b> by the student.</li><li>• They include the provision of content aligned to grade-level standards (where applicable)<ul style="list-style-type: none"><li>• and are substantially equivalent to a traditional course.</li></ul></li><li>• For funding, this course must have a <b>written learning plan</b> that includes:<ul style="list-style-type: none"><li>• the course outline or plan of study,</li><li>• the digital or print curriculum or materials to be used,</li><li>• requirements for submitting assignments and recording the academic progress, and</li><li>• the role of the supervising licensed teacher.</li></ul></li><li>• <b>No more than 1 independent study course can be used in the determination for funding.</b></li></ul>
Supplemental Online	<ul style="list-style-type: none"><li>• Credit-bearing courses taken by students enrolled in traditional, brick-and-mortar schools</li><li>• in which <b>all</b> of the instruction is <b>digitally delivered</b> and<ul style="list-style-type: none"><li>• is received off-site or</li><li>• is taken on-site but not at a scheduled time where attendance is mandatory.</li></ul></li></ul>
Work-Based Learning	<ul style="list-style-type: none"><li>• Credit-bearing courses</li><li>• that must be incorporated within the student's <b>Individual Career and Academic Plan (ICAP)</b> in order to qualify for funding.</li><li>• They are learning opportunities that occur in part or in whole in the workplace and</li><li>• provide the learner with hands-on, real-world experience.</li></ul>



# Courses Using Alternative Teacher-Pupil Instruction In the Updated Rules

Course Requirements	Supplemental Online	Blended Learning	Independent Study	Work-Based Learning
Credit-Bearing	Yes	Yes	Yes	Yes
Direct Instruction	No	Yes	Maybe	Maybe
Digitally-Delivered Instruction	Yes	Yes	No	Maybe
ICAP	No	No	No	Yes
Written Plan	No	No	Yes	No
Limits on # of Courses	Yes	No	Yes	No



- **Proof of Colorado Residency:** Pupils exclusively enrolled in alternative teacher-pupil instruction **or** any pupil that has a schedule that does not require the pupil's regular physical presence at the public school, the district must verify and document student residency in the State of Colorado upon enrollment and annually thereafter.
- **Online Program:** Pupils **exclusively enrolled in online K-12 courses** that take place off-site, but are not enrolled in an online school, must be enrolled in an online program.
  - A student is not exclusively enrolled in online K-12 courses if they have at least one course scheduled to take place on-site, in-person, at a regularly scheduled time during regular school hours and where attendance is mandatory.
- **Attendance:** For students enrolled **exclusively in alternative teacher-pupil instruction**, the district must provide attendance verification based upon direct teacher-pupil instruction or evidence of student engagement with course content (i.e., log-ins into course content for digitally delivered instruction or documentation from employer evidencing days worked, etc.).
  - **Districts may obtain pre-approval from the Department to include other forms of attendance verification.**



# Does this combination of courses result in special considerations?



Funding Course Considerations for Student Enrolled in a Brick-and-Mortar School	Proof of Colorado Residency Required	Must be enrolled in an Online Program or School	Special Attendance Considerations
All courses are 100% in person	No	No	No
All courses are blended learning	No	No	No
All courses are supplemental online	Yes	Yes	Maybe
All courses are supplemental online <b>and</b> independent study (1 class only)	Maybe	No	Maybe
All courses are supplemental online <b>and</b> work-based learning	Yes	No	No
All courses are work-based learning	Yes	No	Yes

# Courses using Alternative Teacher-Pupil Instruction

**Q:** Does guidance for courses using alternative teacher-pupil instruction apply to qualifying **postsecondary** courses?

**Short Answer:** No

**A:** For funding purposes, all **qualifying** postsecondary courses are evaluated based on college credit hours, regardless of the modality of the instruction (i.e., 100% in-person/direct, blended learning, 100% online course, etc.).



# Courses using Alternative Teacher-Pupil Instruction

**Q:** Does guidance for courses using alternative teacher-pupil instruction apply to students primarily enrolled in a **Colorado public online school or program**?

**Short Answer:** No, unless the online student is also scheduled into a work-based learning course.

**A:** A student primarily enrolled in a Colorado public online school or program (i.e., funding code 91, 92, 94 or 95) will be evaluated based on the Rules and guidance for Online Schools and Programs, not based on the rules and guidance for brick-and-mortar students enrolled in courses that use alternative teacher-pupil instruction.

- EXCEPTION: work-based learning courses - this guidance applies to all students



**Q:** If all of a course is completed off-site independently by the student, does it need to occupy a unique portion of the student schedule?

**Short Answer:** No

**Considerations:**

- In this instance, the district will need to be prepared to provide appropriate evidence of attendance
  - i.e., log-ins into course content for digitally-delivered instruction OR request pre-approval for other forms of attendance.
- Attendance tracked in the district's student information system can only be used for funding purposes to evidence direct instruction. In order to evidence direct instruction, the course will need to occupy a unique portion of the student schedule.



**Q:** Is a student considered exclusively enrolled in courses using alternative instruction if they are enrolled in supplemental online courses AND work-based learning courses?

**Short Answer:** Yes.

**A:** If a brick-and-mortar student is enrolled in both 100% online courses and work-based learning courses, the student is considered to be exclusively enrolled in **alternative-teacher pupil instruction courses**.

- In this instance, the student will be required to have a proof of Colorado residency.
- HOWEVER, because the student is enrolled in at least one (1) work-based learning course, the student is not deemed to be enrolled exclusively in **K-12 online courses**, and therefore does not need to be enrolled in an online program.





**Q:** Is a brick-and-mortar student required to have at least one class that has direct instruction where they are expected to be on-site with mandatory attendance?

**Short Answer:** No

**A:** If a brick-and-mortar student is taking a combination of courses in which they are not required to attend in person at a public school, the district will need to document residency in the state of Colorado for that student. That includes any combination of courses using alternative teacher-pupil instruction in which the student is not required to attend in person at a public school.

# Courses using Alternative Teacher-Pupil Instruction

**Q:** Is a class that delivers instruction both synchronously and asynchronously considered a course that uses alternative teacher-pupil instruction?

**Short Answer:** Yes

**A:** It is likely that the course meets the definition of a blended learning or independent study course. The district will need to evaluate how the instruction is being delivered asynchronously. If delivered digitally then the course is a blended learning course; otherwise, it would be classified as independent study (which is limited to 1 course).





**Q:** If all of a student's courses are completed off-site through synchronous instruction, are they considered exclusively enrolled in K-12 online courses?

**Short answer:** No

**A:**

- Because the student is receiving synchronous direct instruction, they are not considered exclusively enrolled in K-12 online courses, and are not required to be enrolled in an online program.
- However, because the student has a schedule that does not require the student's regular physical presence at the public school, the district will need to collect proof of Colorado residency and be prepared to provide it at the time of audit.



**Q:** Is there a minimum amount of direct instruction (i.e., in-person or synchronous instruction) required for blended learning and supplemental online courses?

**A:** No





**Q:** For courses using alternative teacher-pupil instruction, are there limits on the number of these courses a brick-and-mortar student can have when determining funding?

**Short answer:** Yes, there are limits for independent study and supplemental online courses.

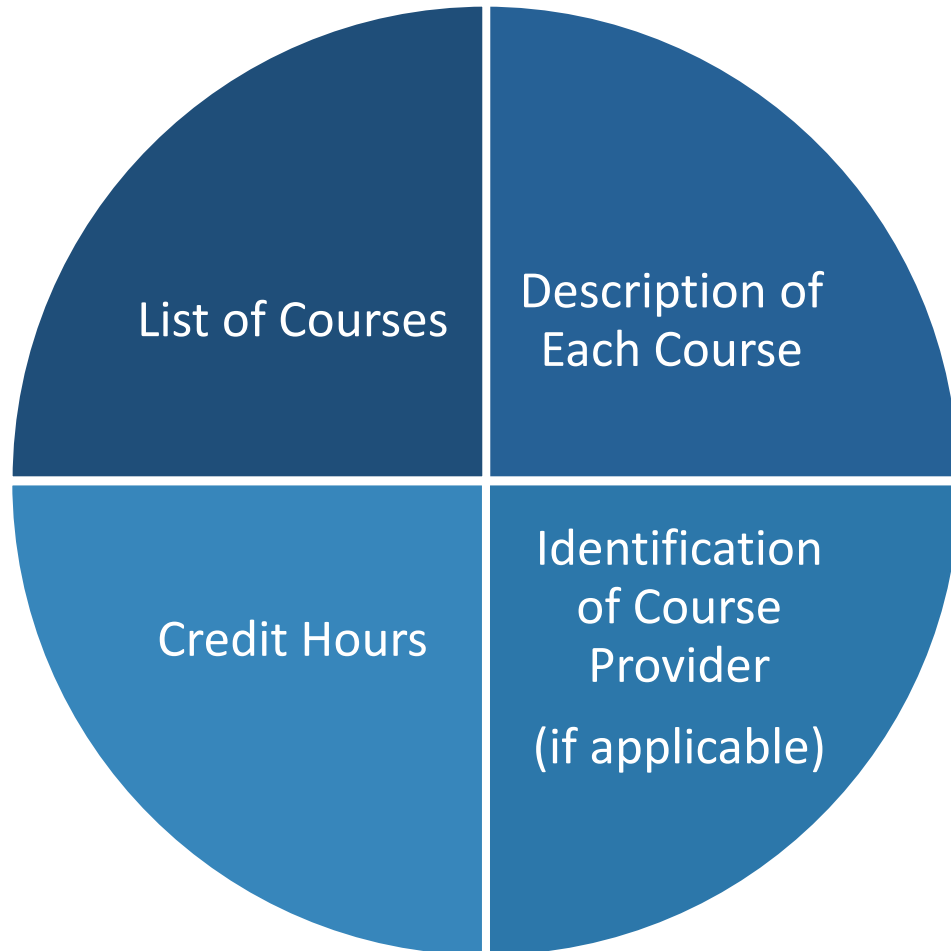
**A:**

- Brick-and-mortar students can only have one (1) independent study course when determining funding level eligibility.
- Brick-and-mortar students cannot be exclusively enrolled in K-12 online courses. For funding purposes, student exclusively enrolled in K-12 online courses must be primarily enrolled in a Colorado public online school or program.

# Catalog Using Alternative Teacher-Pupil Instruction



# Alternative Teacher-Pupil Instruction Course Catalog



- To include courses utilizing alternative teacher-pupil instruction in the determination for funding, the district (or school) must have a course catalog that includes the four (4) requirements.
- This catalog must be posted on the School/district/BOCES website by the applicable count date.



**Q:** Does the catalog of courses using alternative teacher-pupil instruction apply to online schools and programs?

**A:** For purpose of the Rules for the Administration of the Public School Finance act of 1994, this catalog requirement only applies to courses offered to brick-and-mortar students that use alternative teacher pupil instruction. This catalog should include all course types falling under this category (i.e., supplemental online courses, blended learning courses, independent study courses and work-based learning courses), not just supplemental online courses.

If a district links to another course provider or school catalog within its alternative instruction catalog, it is the district's responsibility to ensure that all requirements for the catalog are met in both its and the provider's linked catalog. Further, the district is encouraged to save a copy of any catalog that is linked within its own alternative instruction catalog each year, as alternative instruction courses **MUST** appear in the catalog in order to be considered for funding.





**Q:** If brick-and-mortar students are taking online courses part-time from a Colorado public online school or program, does the district still need a catalog of courses using alternative teacher-pupil instruction?

**A:** If brick-and-mortar students are taking courses using alternative teacher-pupil instruction, including courses offered through a Colorado public online school (or program), the district will need to provide a catalog of courses using alternative teacher pupil instruction.

- This catalog should include all courses (independent study, blended learning, supplemental online and work-based learning), and for each course type, provide the required 4 data elements.



**Q:** If the same course offered in person is also offered online through the district's Colorado online school or program, can the district just post the entire course catalog as alternative instruction courses?

**A:** If a district has an existing online school or program that has a catalog of available online courses, and those same courses will now be offered to brick-and-mortar students as supplemental online courses, the online catalog will need to contain all of the same information required for the catalog of courses using alternative teacher pupil instruction.

- For example, if the online school or program uses multiple course providers, or if the course provider varies by course, then the catalog (of alternative teacher pupil instruction) must, among other requirements, list out the provider(s) by course.

**Note:** If the district is also providing other alternative courses (not included in the online catalogue such as WBL, IS, BL, etc.), those courses must also be included in the catalog (i.e., there needs to be **one single catalog that lists all applicable courses** using alternative teacher-pupil instruction).





**Q:** If we have students who are enrolled and taking courses at both a brick-and-mortar and online school, does there need to be a course catalog posted for those situations?

**A:**

- Based on the student's primary enrollment, the district will need to determine if the student is a brick-and-mortar student or an online student. This will be reported to the Department based on the assigned funding code within Student October. The funding code will dictate the funding and audit documentation requirements the district should be prepared to provide.
- If the student has a brick-and-mortar funding code, then the district will need a catalog of courses using alternative teacher-pupil instruction.

# Equivalent Instructional Hours



# Instructional Time Equivalency for Alternative Teacher-Pupil Instruction Courses

**Calendar calculation:**  
85 days/semester

**In-person bell schedule:**  
50 average daily minutes

## **Semester hours per period:**

- 85 days in the semester
- 50 minutes per day of instruction per semester course
- 4,250 minutes per semester for semester course (85 days x 50 minutes)

## **Alternate Instructional Time Equivalency**

Based on 100% in-person on-site calendar and bell schedule calculation:

- **70.83 hours of equivalent instruction per semester course** (4,250 minutes divided by 60 minutes per hour)



## Takeaway: Equivalency for Alternative Instruction Courses

The number of instructional minutes for Alternative Instruction courses must align with the number of instructional minutes received in a Direct Instruction course conferring the same amount of credit.

Average Daily Minutes of Direct Instruction from bell schedule calculation	Credits awarded for course	Equivalent Daily Alternative Instruction Minutes
30	0.25	30
50	0.50	50
90	0.75	90



**Q:** If a student is attending a brick-and-mortar school and is taking a supplemental online or blended learning course through an approved online school or program, which course equivalency would apply to the student?

**A:** The course equivalency will be determined by the brick-and-mortar school's calendar and bell schedule calculations, not the equivalency used by the online school or program.

- For example, if a 100% in-person course offered at the student's reported brick-and-mortar school averages 50 minutes per day of direct instruction, then the equivalent instructional time associated with courses using alternative teacher-pupil instruction for students attending that same brick-and-mortar school will be 50 minutes per day, regardless of whether the Colorado online school or program has a different equivalency.



**Q:** How is equivalency for middle school and elementary school students determined if their courses using alternative instruction are not credit-bearing?

**A:** Courses using alternative teacher-pupil instruction must be credit-bearing in order for a district to use their instruction in the determination for funding.

- Because elementary and middle schools generally do not assign credit, districts will need to create a process for assigning credit for courses using alternative teacher-pupil instruction. The assigned credit should be consistent with the credit assigned to 100% direct instruction courses.
- It is the district's responsibility to review a course provider's offerings and assign appropriate credit based on the district's evaluation of the course materials, etc.

# Documentation for Students Reported for Part-time Funding



# Reminder: Documentation for Part-Time Students

- For students in grades 1-12 who are reported for part-time funding, district shall obtain documentation which **describes the reasons the pupil is enrolled part-time** and confirms how the pupil is compliant with the compulsory school attendance requirements.
- This is **not** required for part-time students who are reported as follows in the Student October Count data collection:
  - Kindergarten students
  - Students receiving services under an IEP
  - Students in their 5<sup>th</sup> year of high school or beyond
  - Students participating in a HSED program
  - Students reported as home-based education (i.e., home school)





**Q:** Will documentation explaining why a student with an IEP is reported as part-time be required?

**Short Answer:** No

**A:** For the 2024-25 school year, if a student is reported in Student October as having a primary disability which causes the internal Special Education Student flag to be assigned “1”, no additional documentation will be required to evidence why the student was reported part-time.



**Q:** For part-time students, districts have been told that an explanation as to why the student is part-time will be required if one of the noted exceptions does not apply, AND state how the student is meeting the compulsory attendance requirements.

What if the student is over the age of 17 and no longer required to meet mandatory attendance?

**A:** The requirement has two components:

- 1) explanation as to why student is part-time, and
- 2) explain how they are meeting the compulsory school attendance requirements.

If the student is over the age of 17, the district would still need to respond to part one (i.e., provide an explanation as to why the student is part-time), but could say “n/a” for part two (since the student is over age 17).

**Q:** Does the requirement for part-time documentation apply to students who are part-time but receiving only direct instruction?

**Short answer:** Yes

**A:** Any student reported for part-time funding who is not reported in kindergarten, with an IEP, in their 5<sup>th</sup> year of high school or beyond, or home school must have a statement as to why they are part-time and meeting the compulsory school attendance requirements (if applicable).



**Q:** Our district has several students in their junior or senior year of high school (i.e., in their first 4 years of high school) who do not need a full-time schedules to meet graduation requirements. How would we handle this?

**A:** The district will be expected to:

- 1) provide an explanation that the student does not need a full-time schedule in order to meet their remaining graduation requirements , and
- 2) be prepared to provide a copy of the student's high school transcript (if requested at the time of audit) showing that as of the semester of the pupil enrollment count date, the student did not need a full schedule to meet remaining graduation requirements.



**Q:** If a student is reported for part-time funding based on a doctor's note for anxiety, how will this need to be documented for purposes of 1 CCR 301-39-5.06(1)?

**A:** In this case, the district likely worked through its 504 Plan process for the student. This explanation will be sufficient to evidence part-time funding for purposes of 5.06(1).

# Miscellaneous





**Q:** If a student is new to Colorado and does not start attending school until after the count date, but before the end of the 11-day count window, is the student eligible for funding?

**A:** Maybe.

- In order for a student who does not establish attendance until after the pupil enrollment count date, but before the end of the count window, to be eligible for funding, they must qualify as
  - a within-state transfer exception, **OR**
  - out-of-state transfer exception.
- For out of state transfer exceptions (i.e., new to Colorado), the district must be able to document that the student moved to Colorado **within 30 calendar days preceding the district's applicable count date**
  - (previously the guidance stated they must move to Colorado during the current school year prior to the pupil enrollment count date).



**Q:** If a student must be enrolled in an online program if they are exclusively enrolled in K-12 online courses, do they receive the lower online per pupil funding rate?

**A:** No. Students enrolled in a single-district online program are funded at the same per pupil rate as students enrolled in brick-and-mortar schools.





**Q:** Can tutor logs and mileage still be used as documentation for homebound students?

**A:** Possibly.

- If your district is providing direct instruction through the use of a tutor, then tutor logs and mileage would likely be how you document scheduled hours of direct instruction and attendance.
- If the district is providing educational services using alternative teacher-pupil instruction to educate homebound students, then the district would need to provide appropriate evidence of attendance and show course requirements are met.

## School Auditing Office

- Email: [audit@cde.state.co.us](mailto:audit@cde.state.co.us)
- Website: <http://www.cde.state.co.us/cdefinance/auditunit>

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# Questions?