

Informational Webinar

School Finance Rules

1 CCR 301-39

November 27, 2023

Agenda

1. Guiding Principles and Timeline
2. What is in the School Finance Rules?
3. Funding for Full-Time and Part-Time Students
4. Summary of Changes
5. Other Updates
6. Questions and Comments

Guiding Principles and Timeline

Guiding Principles for Updates



Blended Learning Initiative Listening Tour Direction

- Provide greater flexibility to expand use of and fundability of Blended Learning
- Ensure appropriate guardrails, oversight and protections to ensure quality outcomes

CDE's Guiding Principles During Drafting

- Ensuring districts and schools are funded for providing quality education opportunities which reflect the evolution of instructional models outside of the traditional brick and mortar (in-person) and online instructional models
- Clarity and consistent application for districts and students
- Fiduciary duty of taxpayer funds for public education

Review of General Timeline/Process

- [Introduced topic to the State Board in April 2023](#)
- [Initial draft rules](#) distributed in late July/early August
- [Survey](#) and stakeholder engagement meetings in July/August
- Discussions with state board members and stakeholders in August/September
- Updates shared with SBE and stakeholders from initial input in October
- Information item at November board meeting
- Webinar with interested parties - November 27
- Notice of Rulemaking at state board meeting in December
- Rulemaking Hearing at state board meeting in February
- Vote if not unanimous - March SBE Meeting
- Updated rules in effect for 2024-25 school year

School Finance Rules

Background



Section 22-54-120, C.R.S., grants the state board the authority to “make reasonable rules and regulations necessary for the administration and enforcement” of the Public School Finance Act of 1994.

The Rules for the Administration of the Public School Finance Act of 1994 are published in the [1 CCR 301-39](#).

These rules define the requirements for students to be eligible for funding, including the instructional hour requirements to be eligible for full-time or part-time funding.

These requirements are further detailed and explained in the [2023 Student October Count Audit Resource Guide](#).

Funding for Full- and Part-Time Students with Evolving Practices

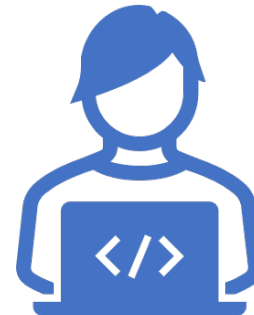
Context- How School Has Historically Functioned

Traditional Paradigm: Students are either **Brick and Mortar** (entirely in-person) or **Online** (entirely remote)

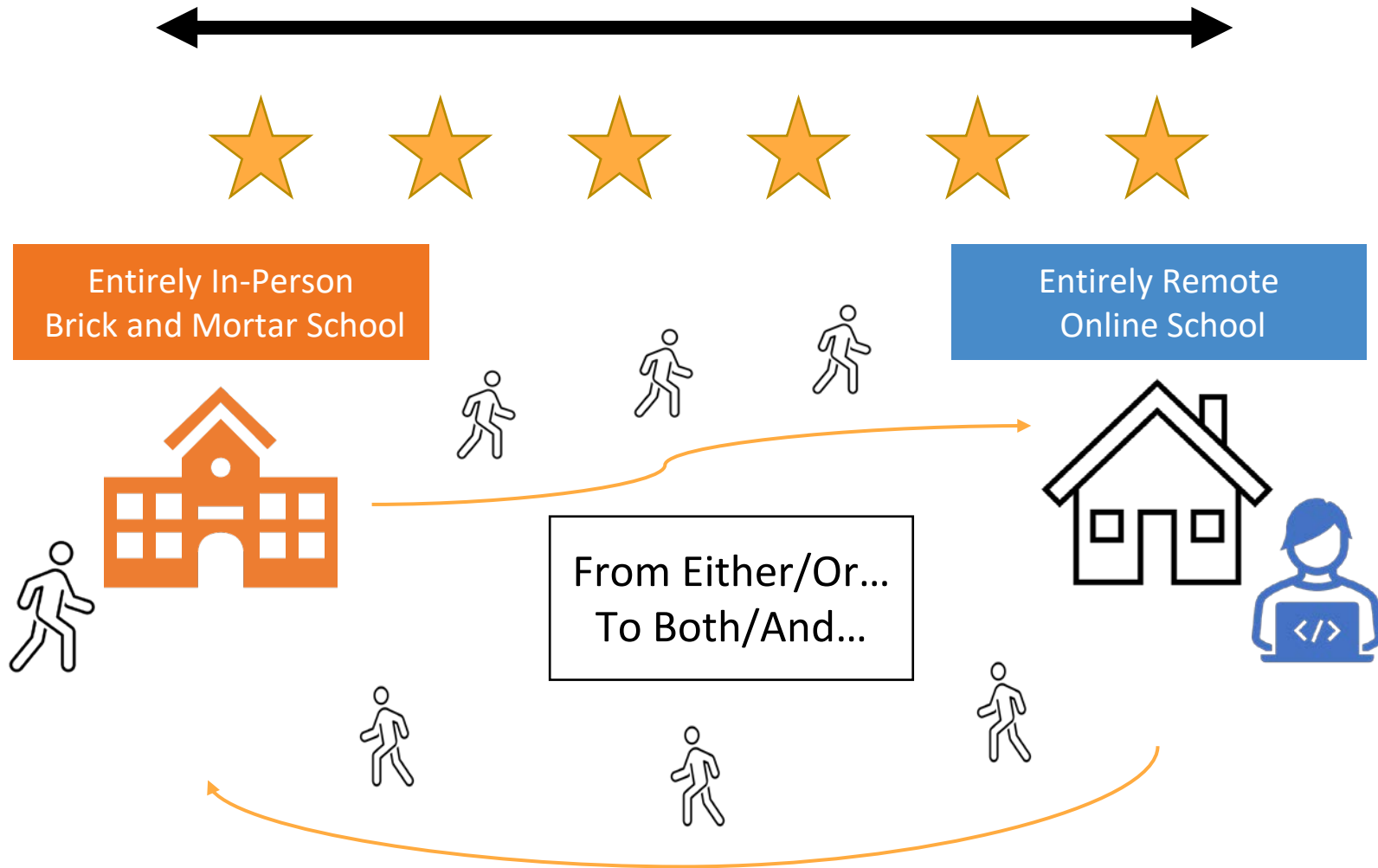
Either,



Or...



Evolving Practices



Evolution of Learning Opportunities



Examples of evolving learning opportunities include: apprenticeships, blended learning, independent study, internships, supplemental online learning, work study.

How we have addressed in our rules:

- alternative instruction for secondary students
- equivalencies
- course catalog

Part-Time Funding for Students



Examples of instances where students participate in public school education on a part-time basis:

- Medical situations
- 5th year students finishing grad requirements
- Transitions for students with IEPs
- Homeschool students enrolled in enrichment programs
- Homeschool students enrolled in district courses
- Private school students enrolled in district courses

Evolving scenarios that have not been fundable:

- Learning models relying on parent-directed instruction
- Learning models occurring in non-public environments

Part-Time Funding for Students



Policy decisions are intended to illustrate what the state funds in alignment with state law.

How we have addressed in our rules:

- Prohibit parent led/parent directed instruction counting as funded instructional time
- Require a course catalog and opportunities available to all students
- Alternative instruction available for secondary level
- Requires reporting of why a student is part time
- Prohibits funding if the instructional time is provided in an environment that requires participation in a tuition-based non-public school

Summary of Changes

Summary of Changes

Grades 6-12



Supplemental Online Courses	<ul style="list-style-type: none">● Allows FT and PT students in brick and mortar schools to take online courses on or off campus and receive equivalent credit. Also, no limits.● If 100% of courses are online, a brick and mortar student may stay enrolled, but would also need to be assigned to an online program.
Work-based Learning	<ul style="list-style-type: none">● Allows FT or PT students to participate in apprenticeships, internships, work-based learning and receive equivalent credit.
Independent Study Courses	<ul style="list-style-type: none">● Allows FT or PT students to take independent study courses on or off campus and receive equivalent credit.
Homeschool Students	<ul style="list-style-type: none">● Allows PT homeschool students to take any courses with direct teacher-pupil instruction or alternative teacher pupil instruction, including types of courses listed above and included in the course catalog.

*For funding, schools must meet the guidelines for alternative teacher-pupil instruction (i.e., course catalog, applicable attendance, time equivalency based upon cited bell schedules/credits).

Summary of Changes Grades K-5



Supplemental Online Courses	<ul style="list-style-type: none">● Allows FT and PT students at brick and mortar schools to take online courses on campus.● Allows homebound students to take online courses on or off campus.● Allows FT and PT students at online schools to take online courses on or off campus.
Work-based Learning	<ul style="list-style-type: none">● Not applicable
Independent Study Courses	<ul style="list-style-type: none">● Not applicable
Homeschool Students	<ul style="list-style-type: none">● Allows PT homeschool students at brick and mortar schools to take any courses with direct teacher-pupil instruction, including homeschool enrichment courses● Allow PT homeschool students at online schools to take online courses on or off campus.

Summary of Changes Grade K-12



**Parent/ Guardian
asked to share
why student is
part-time**

- The primary education responsibility for homeschool and private school students does not reside with a school district. Therefore, districts are limited in the amount of funding that they can receive for these students.
- There is not always clarity on why students are enrolled part-time. This may result in inaccurate coding of students, which may result in Duplicate Count issues.
- Further, this helps ensure compulsory school attendance requirements are met.

Proof of Colorado Residency



- With the additional flexibilities provided through alternative teacher-pupil instruction, some students at brick and mortar schools may no longer attend in-person.
- Proof of Colorado residency would ensure that funding is only provided to students who are Colorado residents.

Change	Explanation	Example
Pupils enrolled exclusively in alternative teacher-pupil instruction must have proof of Colorado residency	Ensures that students who do not attend in-person are Colorado residents, similar to requirements for online students	Student A takes a combination of independent study and/or online courses and an external internship, but never enters the physical school that they are enrolled in.

Post-Secondary Credits



- Concurrent Enrollment and ASCENT require 12 credit hours for full-time funding pursuant to the [Rules for the Administration of Concurrent Enrollment](#).
- Early Colleges require 7 credit hours at higher education institutions for full-time funding pursuant to existing School Finance Rules.

Change	Explanation	Example
Adjusts credit requirements for Early Colleges from 7 credit hours to 12 credit hours for full-time funding	Provides consistency for all post-secondary courses— Concurrent Enrollment and ASCENT require 12 credit hours for full-time funding	<p>A student enrolled at an Early College takes 12 credit hours for the school to receive full time funding.</p> <p>A student enrolled in 3 to 11 credit hours allows for the school to receive part-time funding.</p>

At-Risk Carry-Over

- Districts may carry-over Free and Reduced-Priced Lunch eligibility for 30 school days. This often results in meal eligibility expiring right before the Student October Pupil Count Date.
- Eligibility is often re-established within days following the Count Date. In order to avoid the loss of At-Risk funding for a technicality, the Department has issued variance waivers to extend the carry-over period.

Change	Explanation
Extends at-risk carry-over through the applicable count date vs 30 days	Reduces administrative burden associated with variance waivers. Waivers have been issued upon request in order to ensure at-risk funding for FRL-eligible students in cases of a short-term lapse in supporting documentation.

Additional Language - Facility Schools

- Senate Bill 23-219 created a new funding model for facility schools.
- The School Finance rules will be aligned to this new funding model.

Change	Explanation
Incorporates new funding model for Facility Schools and distinguishes between state programs and approved facility schools.	Changed to align with new funding model for facility schools as specified in S.B. 23-219. The new law also creates a distinction between state programs and approved facility schools, which can include specialized day schools. The amended rules reflect this statutory change.

Additional Changes



Several other non-substantive clarifications has been incorporated into the [initial draft rules](#) based upon stakeholder input, including:

- Independent study definition (1.06)
- Passing periods as instructional time (2.05(2)(a))
- Independent study/asynchronous learning during public health and safety orders and precautions (2.05(2)(c))
- Homebound students (5.03(4))
- Students with IEPs that cannot benefit from a full-time schedule (5.05(1))
- Early College requirements for attendance and tuition payment (5.07(1) and (2))
- Contractual education requirements: evidence of payment, contract, calendar, bell schedule, attendance, schedule (5.8(1) and (2))
- English Language Learner requirements for School Finance funding (6.03)

Additional Changes, Cont.



Additional language has been included in the updated proposed rules based upon stakeholder input, including:

- Private school pupils - added definition of private school pupils and clarified that private school pupils can be submitted for part-time funding when enrolled in a district educational program
- Licensed teacher - clarified that licensed teacher may include teacher of record when district has waiver from Section 22-63-201, C.R.S.
- Asynchronous instruction definition
- Synchronous instruction definition

Removed Language

Removed historical language that referenced submission of an annual financial audit as these requirements are outlined in statute and the rules did not address all of the statutory provisions.

Change	Explanation
Remove reference to annual audit report of financial statements.	Eliminates incomplete requirements in rule and allows the complete statutory language to stand on its own.

Summary of Major Edits



Updated Proposed Rules:

- 1.04(a) - allowing a course equivalent
- 1.04(c) - content knowledge prerequisite allowance
- 1.08(a) - Synchronous/asynchronous differentiation
- 1.11 - Allowance for schools/districts with licensure waivers
- 1.14 - Clarification of parent-led/directed instruction (also, 2.05(a)(3)(IV))
- 2.05(a)(1) - Alternative teacher-pupil instruction for grades 6-12
- 2.05(a)(1)(I) - Catalog published on website (location not specific and does not require board approval)
- 2.05(a)(2) - Alternative instructional time for K-5 limited to homebound students
- 2.05(a)(3)(I) - Instructional time allowances for passing periods
- 2.05(a)(3)(V) - Equal access to specialized programming
- 2.05(a)(3)(VI) - Instruction not provided in a tuition-based non-public school

Summary of Major Edits



Updated Proposed Rules:

- 5.05(a) - Proper funding for students with disabilities
- 5.06(a), (b) - Documentation of reason for part-time enrollment
- 5.06(e) - Part-time eligibility for non-public student participating in public instruction
- 5.07 - Residency documentation for brick and mortar students learning 100% alternative
- 5.08 - Online program for brick and mortar students taking 100% online courses
- 5.09 (b), (c) - 12 semester requirement for full-time funding from IHEs
- 5.11 - Duplicate count resolution
- 6.01 - FRL and applicable count date
- 6.03 - Technical edit regarding ELPA
- 13 and 14 - State program and facility school conforming edits

Ways to Engage

- Submit written feedback in this [google form](#) as part of the rulemaking process
 - This can be done both prior to and after the board issues the notice of rulemaking
- Listen to the Notice of Rulemaking presentation and discussion at the December 13 State Board of Education meeting
- Testify at the Rulemaking Hearing on February 14 or 15