

Colorado Department of Education  
Office of Blended and Online Learning  
201 East Colfax Ave, Room 210  
Denver, CO 80203  
Attn: Bill Kottenstette, Renee Martinez and Rachel Matson

October 30, 2020

Dear Bill, Renee and Rachel,

Thank you for holding the online stakeholder meeting on October 22nd to discuss the revised draft successor school guidance criteria.

We, as an online school community, are herein submitting final feedback on these draft criteria in accordance with the November 2nd feedback submission deadline. Please refer below for our suggested revisions.

Thank you for your consideration.

Sincerely,

Astravo Online Academy  
Colorado Connections Academy  
Colorado Virtual Academy  
GOAL High School  
HOPE Online Learning Academy Co-Op  
K12, Inc.

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#### **New Draft Successor School Guidance**

Senate Bill 19-129, titled, the Regulation of Online Schools calls for the CDE to develop criteria to determine whether a newly authorized multi-district online school is a new multi-district online school or a successor to a previously authorized multi-district online school.

A successor school is “an online school that is a replication, addition, division, or reorganization of an existing or previously authorized online school as determined by the criteria adopted by the Department.” 1 CCR 301-71, Rule 2.16.

A successor school inherits the accountability history of its predecessor, if the predecessor school was on performance watch under the Accountability Act. (See § 22-30.7-105(2)(d), C.R.S).

If the predecessor school was closed by order of the State Board under the Accountability Act, it or its successor school must reapply for certification before operating again. *Id.*

## Departmental Criteria

1. When a newly authorized multi-district online school is reviewed by the department, a newly authorized multi-district online school may be considered a successor school under the following conditions:
  - The newly authorized multi-district online school has two or more of the following characteristics as its predecessor:
    - The school has 25% or more of the same board membership if the school is a charter school;
    - The school has the same principal, assistant principal, or chief executive
    - The school has the same educational service provider and/or same digital curriculum provider even if such provider changes its name
    - ~~The school has the same digital curriculum provider even if such provider changes its name~~
  - The purpose of the successor school review of such a school is to determine whether the accountability history for an existing multi-district online school that is on performance watch should follow to the newly authorized school or to determine whether the school is a successor of a school that was closed by order of the State Board.
2. Outside of the review described in #1, an existing multi-district online school that merges previous school codes into one or separates an existing school code into several will automatically have the new school code or codes deemed as a successor school or schools for the purpose of extending the performance watch history of the predecessor school to the applicable successor schools.

Newly authorized multi-district online schools and existing online schools seeking school code change requests will be evaluated according to these criteria as is applicable to their circumstance. If it is determined that a newly authorized online school is a successor school, the Authorizer of the online school may appeal the decision to the State Board of Education by substantially following the Request for Reconsideration appeal process outlined in 1 CCR 301-1, Rule 5.11.

Feedback 10/28/2020 11:20 AM

**Comment [1]:** It seems to make sense to combine these as the ESP and digital curriculum provider are often the same. This change is only proposed if the successor school criteria continues to apply to two or more characteristics.