Blended Learning and Supplemental Online Course Variance Waiver Process (2023-2024 School Year)

COLORADO
Department of Education

The purpose of this document is to describe the variance waiver approval process for districts and schools who have implemented (or plan to implement) a learning model that does not conform to the parameters detailed in the updated Blended Learning and/or Supplemental Online course guidance (as outlined in the 2022 Student October Count Audit Resource Guide).

Beginning with the 2021-2022 school year, districts and schools have had the ability to request a variance waiver for this purpose. Regardless of prior year variance waiver approval, all districts and schools wanting to utilize the variance waiver during the 2023-2024 school year must complete both steps of the process.

Formal variance waiver requests will not be denied for districts and schools who agree to and complete both steps of this waiver request process as described starting on page 2.

Overview

The Student October Count Audit Resource Guide describes the requirements for funding eligibility for all students. Further, it contains all required audit documentation necessary to evidence those requirements have been met.

Starting with the 2021-2022 school year, CDE has provided updated guidance regarding the inclusion of instruction occurring **off-site** through Blended Learning and Supplemental Online courses (for brick-and-mortar students) in the determination of funding level, and as outlined in the Student October Count Audit Resource Guide. Courses that are offered 100% on-site are not considered Blended Learning or Supplemental Online courses.

This guidance only applies to courses offered to students who are "primarily" enrolled in a traditional, brick-and-mortar school (i.e., those whose reported Student October Count funding codes are 80, 82, 85, or 86).

This guidance does not apply to students who are enrolled in a single-district online school or program or a CDE-approved Multi-District Online School (i.e., those whose reported Student October Count funding codes are 91, 92, 94, 95, or 96).

If a district or school has developed a learning model that does not fall within the parameters of the requirements listed below, a variance waiver will be granted for the 2023-2024 school year, upon request, for those districts and schools that agree to provide the requested information.

Requirements for Blended Learning and Supplemental Online Courses

The requirements for including Blended Learning and/or Supplemental Courses are summarized below. **Only course requirements 1 and 3 may be included in a variance waiver request; course requirements 2 and 4 may not be waived and must be met.**

Course Requirements
1) **Limits on the number of courses:** The number of Blended Learning and/or Supplemental Online courses that may be considered as instructional time for funding purposes is limited to no more than 2 courses or 40% of a student's total schedule.

2) **Student Schedules:** Blended Learning and/or Supplemental Online courses must occupy unique positions on a student's schedule.

3) **Instruction:** At least 20% of a student's weekly scheduled instructional time in Blended Learning and/or Supplemental Online courses must take place in person or synchronously, with attendance taken.

4) **Access to Equipment and Sufficient Internet Access:** Districts must ensure students participating in Blended Learning and/or Supplemental Online courses have the appropriate electronic equipment and resources to

participate in the course. Specific district and school responsibilities include ensuring blended learning courses meet the needs of students with IEPs and English Learners.

Audit Documentation Requirements

In order to include the digitally-delivered off-site portion of a Blended Learning and/or Supplemental Online course in the determination for funding, the following course documentation must be provided at the time of audit by any district or school granted a variance waiver. **Audit documentation requirements may not be waived and must be met.**

- Documentation (e.g., regulations, course syllabus, handbook, etc.) outlining district policy (if not included in board policy) that describes the following:
  - Acceptable synchronous and asynchronous ways in which teacher-pupil instruction and contact time can occur outside the classroom (i.e., during the off-site, digitally-delivered portion of the class).
  - Acceptable ways in which attendance/participation should be documented during the off-site online portion of the class
- Schedule documentation which clearly indicates the days and times in which a student is participating in person versus digitally (off-site)
  - Schedule documentation must show that Course Requirement 3 (above) has been met.
- Schools must provide a list of all Blended Learning and/or Supplemental Online courses offered at the time of audit that matches the course titles listed on the students' individual schedules.

The variance waiver does not waive individual student funding or audit documentation requirements as described in the Student October Count Audit Resource Guide.

Variance Waiver Process

In the event that a district or school has developed a learning model that does not fall within the parameters of the updated course requirements 1 and 3 listed above, a variance waiver will be granted, upon request, for those districts and schools that complete both of the steps detailed below.

Note: all districts and schools wanting a variance waiver for the 2023-2024 school year must complete both steps regardless of prior year variance waiver approval.

1. **Initial Variance Waiver Request**

Districts and schools wanting to request the variance waiver for the 2023-2024 school year must complete the survey below that will notify the Department of their request; responses will be **due August 11, 2023**.
- The survey can be found here: https://forms.gle/NjAvRzeDmsadKLqj6

Within 5 business days following receipt of the district's or school's submission, CDE will respond to confirm temporary approval of the district's or school's variance waiver. Final approval will be contingent upon receipt of the district's or school's formal request for variance waiver.

2. Formal Variance Waiver Request

*Formal variance waiver requests will **not** be denied for districts and schools who agree to and complete this waiver request process.*

The district or school will be required to complete the following forms by **December 8, 2023** (CDE will be in contact with instructions for submitting this documentation, please do not email CDE with this information):

A. Formal Variance Waiver Request Data Form
B. Formal Variance Waiver Request Narrative Answer Form (one per instructional model)

Data Form

When completing the Formal Variance Waiver Request Data Form, districts and schools will be required to answer the following questions:

- Is this instructional model designed to serve a unique student type as described in the Student October Audit Resource Guide?
- Does the instructional model require that students exceed the limits on the number of blended learning and/or supplemental online courses allowed for funding purposes per the posted guidance (Course Requirement #1)?
- Does the instructional model provide for less than the minimum amount of in-person or synchronous instruction (20%) per course described in the posted guidance (Course Requirement #3)?
- Does the model incorporate supplemental online courses?
- Does the model incorporate blended learning courses? (A student attending both in-person and online/remote for the same course)
- Does the model incorporate traditional in-person on-site courses?

Additionally, when completing the Data Form, districts and schools must provide the school code and SASID for all students reported in the 2023 Student October Count data collection who were participating in one of the identified instructional models.

Narrative Answer Form

When completing the Formal Variance Waiver Request Narrative Answer Form, districts and schools will be required to answer the following questions:

- Describe in detail the instructional model that you are providing that involves blended learning and/or supplemental online activities for brick-and-mortar students falling outside of the posted guidance (i.e., number of courses and/or synchronous/in-person instruction).
- How are courses in this model being staffed?
- What is the target student population for this learning model?
- Explain the student needs that this model meets.
- What is the problem that instructional model is anticipated to solve for students?
- Do you have any data/evidence indicating that this instructional model will be effective? If so, please describe (and include citations, if possible).
- What other options have you explored? Are there other ways to meet the identified student needs that might fall within the parameters of the posted guidance?
- Outline how the proposed plan provides students equitable access to the blended learning and/or supplemental online courses, including but not limited to how the plan provides improved access to learning opportunities for students.