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| **Office of Blended & Online Learning**  2020 Application for Certification of a Multi-District Online School |  |  |  |

**Filing Instructions**

A digital PDF copy must be received by CDE **by 4 pm of the due date (January 2, 2020 or April 1, 2020).   
Please do not email zip files.**   
All appendices must be labeled with section (i.e. Section 1.4 (c) requires a calendar as an appendix; calendar document should be labeled Appendix 1.4 (c)).

Applications should be sent via email to:

Renee Martinez  
 Principal Consultant  
Office of Blended and Online Learning

martinez\_r@cde.state.co.us

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**APPLICATION COVER PAGE**

|  |  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- | --- |
| **Authorizer Contact Information** | | | | | | | |
| Authorizer/District Name | | | | Authorizer District Code | | | Date |
| Contact Person | | | | Position Title | | | |
| Mailing Address | | | | | | | |
| Phone number | Fax number | | | | | E-mail address | |
| **Multi-District Online School Contact Information** | | | | | | | |
| Name of the Multi-District Online School and School Code if applicable | | | | | Opening date of operation | | |
| Contact Person | | Position Title | | | | E-mail address | |
| Mailing Address | | | | | | | |
| Phone/Fax Number | | | Website | | | | |

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| **Do any of the following apply to the proposed online school?** | | |
| Previous Single District Program  🞏 | Previous Single District School  🞏 | Change of Authorizers  🞏 |

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| --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- |
| **Grade Levels Served (check all that apply)** | | | | | | | | | | | | |
| 🞏 K | 🞏 1 | 🞏 2 | 🞏 3 | 🞏 4 | 🞏 5 | 🞏 6 | 🞏 7 | 🞏 8 | 🞏 9 | 🞏 10 | 🞏 11 | 🞏 12 |

I hereby certify that I am the Applicant’s chief school/administrative officer and that the information contained in this application is, to the best of my knowledge, complete and accurate. I further certify, to the best of my knowledge, that any ensuing program and activity will be conducted in accordance with all applicable Federal and State laws and regulations, and with the Assurances and Certifications contained herein.

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**Authorizer:** Printed Name and Title Date Signature

(Signature should be the District Superintendent, or other person with signature authority for the district.)

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**Online School:** Printed Name and Title Date Signature

**APPLICATION CHECKLIST**

**Only complete applications will be reviewed.** Incomplete applications will not be reviewed. Use this application checklist to ensure that all required components of the application are included.

□ Cover Sheet (signature required) *– page 3 of this document*

□ Application Checklist *– page 4 of this document*

□ Application *– page 8 of this document*

□ Completed Certification Regarding Compliance with Quality Standards (signature and initials required) *– page 5 of this document*

□ Required Assurances (signature required) *– page 7 of this document*

□ \*Learning Centers Attachment (signature required) *– page 18 of this document*\*only required for those Schools utilizing Learning Centers as a component of the multi-district online school.

**Certification Regarding Compliance with Quality Standards for Online Schools and Programs**

**(To be certified by Authorizer)**

Through the process of developing this application for certification, the Authorizer has reviewed the structure, program plan and operations of the multi-district online school and finds that it meets or exceeds the following quality standards in the administration of program and delivery of curriculum:

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| **Quality Standards for Online Schools and Programs** | **Authorizer Initial** |
| **3.02.1** The Online School involves representatives of the Online School’s community, as well as staff, in a collaborative process to develop and communicate the Online School's vision, mission, goals and results, in a manner appropriate to the online model for that program. The Online School provides leadership, governance, and structure to support this vision and these supports are used by all staff to guide the decision-making. |  |
| **3.02.2** [Expired 05/15/2011 per Senate Bill 11-078] |  |
| **3.02.3** The Online School has, or has a plan and timeline in place to accomplish, the technological infrastructure capable of meeting the needs of students and staff, and of supporting teaching and learning. The Online School uses a variety of technology tools and has a user-friendly interface. The Online School meets industry accepted accessibility standards for interoperability and appropriate access for learners with special needs. Technological support structures and programs are in place to reduce barriers to learning for all students. |  |
| **3.02.4** The Online School has, and implements, a technology plan that includes (but is not limited to) documentation that all students and Parents know and understand acceptable use of the internet in accordance with all federal and state statutes. When providing direct services (for example, ISP, computer equipment or "at location") to students, the Online School will use filtering software to prevent access to inappropriate materials. |  |
| **3.02.5** Online Schools must comply with all statutory requirements, including the existing budgetary reporting procedures under state law, as well as being consistent with the format required by the authorizing entity. Budgets and accounting records must be transparent, open to the public, and demonstrate support of student academic achievement. |  |
| **3.02.6** Online School demonstrates levels of attainment of statewide performance indicators that meet expectations established by the Department’s annual performance review as described in §22-11-210, C.R.S. |  |
| **3.02.7** The Online School’s Teachers use ongoing, research based formative and summative assessments to measure student academic performance. Students have varied opportunities to demonstrate mastery of skills, show academic progress, and receive meaningful feedback on their learning. |  |

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| **Quality Standards For Online Schools and Programs** | **Authorizer Initial** |
| **3.02.8** An Online School has a policy regarding course completion. |  |
| **3.02.9** An Online School follows policies for tracking attendance, participation, and truancy. The policy includes documentation of Teacher / student interaction. |  |
| **3.02.10** The Online School has a policy, and the infrastructure to store, retrieve, analyze and report, required student, Teacher, financial, and other required data collections. |  |
| **3.02.11** The Online School has a policy providing guidance counseling services as appropriate to grade level and student need. |  |
| **3.02.12** The Online School has a policy guiding school/home communication about student and program progress, school governance, and school accountability that is relevant, regular, and available in native language where reasonable. |  |
| **3.02.13** Instructional strategies, practices, and content address various learning needs and styles of students. The Online School uses a body of evidence to identify advanced, under-performing, economically disadvantaged, or other special needs students. The Online School will work with its Authorizer to ensure that support structures and programs, including but not limited to, Title I, ESL, Special Ed., and Gifted and Talented, are integrated into the school’s instructional program to promote and support student learning. |  |
| **3.02.14** The Online School evaluates the degree to which it achieves the goals and objectives for student learning. There is a systematic process for collecting, disaggregating, managing, and analyzing data that enables the Online School’s leadership, Teachers, Parents, students, community members and other stakeholders to determine areas of strength and challenge. The data collected are analyzed using a systems approach, and the analysis includes the use of the school performance reports required pursuant to §22-11-503, C.R.S. |  |
| **3.02.15** The Online School shall ensure that background checks in accordance with law are performed on all volunteers and paid staff, including but not limited to Mentors, Teachers, Administrators, or any other persons in unsupervised contact with the student, except Parents supervising their children’s educational program. |  |

Dated this \_\_\_\_\_\_\_ day of \_\_\_\_\_\_\_\_\_\_\_, 20\_\_\_\_\_\_.

**Authorizer:**

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Printed Name and Title Signature

**Required Assurances**

**Application for Certification of a Multi-District Online School**

To verify your acceptance and understanding, check all boxes on this form, sign the form where indicated, and submit this form as part of the Application for Certification.

* The approval of the multi-district online school is the responsibility of the Authorizer. The multi-district online school may begin student instruction and operations only after approval by the Authorizer a vote of approval of certification from State Board of Education.
* The Authorizer has reviewed and has a clear understanding of the obligations and requirements of a multi-district online school Authorizer as specified by law.
* The Authorizer has approved the curricula offered by the multi-district online school, and determined that the curricula are aligned with state and applicable district standards.
* The Authorizer has reviewed the multi-district online school for compliance with the policies of the Authorizer, including compliance with the Americans with Disabilities Act (ADA) guidelines for web-site accessibility and policies relating to internet safety and acceptable use as well as data privacy and security.
* The Authorizer will maintain the records of each student participating in a multi-district online school on a permanent basis; except that, if a charter school provides the multi-district online school, only the charter school and not the Authorizer is required to maintain the records.
* Legislation enacted or rules promulgated in future years may change requirements and the documentation required to maintain certification status.
* The Authorizer and the principal, director, charter school governing board, or other chief administrator of the multi-district online school agree to the plan for operating the multi-district online school.

Dated this \_\_\_\_\_\_\_ day of \_\_\_\_\_\_\_\_\_\_\_, 20\_\_\_\_\_\_.

**Authorizer:**

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Printed Name and Title Signature

**Multi-District Online School:**

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Printed Name and Title Signature

**1. Oversight: Adequacy of Resources and Capacity of Authorizer**

**1.1 Cover Letter**

**Provide a cover letter that addresses the following:**

* A description of how the multi-district online school fully meets the statutory and CDE Rule definition of “Online School” (see definition below)
* The rationale for opening and authorizing the multi-district online school (for those current with single-district schools or programs, rationale for change of status)
* How authorizing the online school will benefit the Authorizer’s current student population
* An overview of the district’s performance history over the last five years as measured by the District Performance Framework (DPF). Please also note any significant priority areas at the school level.
* Projected enrollment and growth of the proposed multi-district
* A description of previous variations of the online school (i.e. previously a single district program or school, etc.)

*"Online School" means a full-time, education school authorized pursuant to Title 22 of the Colorado Revised Statutes that delivers a sequential program of synchronous or asynchronous instruction**directed by a Teacher primarily through online digital learning strategies that provide students choice over time, place, and path and teacher-guided modality of learning. An online school has an assigned school code and operates with its own administrator, a separate budget, and a complete instructional program. An online school is responsible for fulfilling all reporting requirements and will be held to state and federally mandated accountability processes.*

* 1. **Provide responses in the area below the prompt.**

**1.2 Vision, Mission and Goals**

**Authorizer:**

1. Discuss how the vision, mission and goals of the multi-district online school support the Authorizer’s vision and mission.

**School:**

1. State the vision of the multi-district online school. A vision statement describes measurable aspirations for the future of the multi-district online school.
2. State the mission of the multi-district online school.A mission statement describes why the school exists and its strategy for achieving its vision.
3. List clearly measurable goals for the multi-district online school aligned with relevant Performance Indicators. (<http://www.cde.state.co.us/accountability/performanceframeworks>).
4. Describe how the vision, mission and goals of the multi-district online school align with the needs of the students and families the multi-district online school intends to serve.

**1.3 Governance and Organizational Structure**

**Authorizer:**

1. Describe the organizational structure of the Online School including lines of decision making and communication within the school (as applicable) and between the school and the Authorizer.

**School:**

1. Describe the governance of the Online School, including (as relevant) the legal status of the Online School; responsibilities of the governing board; composition of the governing board; qualifications, terms and process for electing members of the governing board; responsibilities of the board; any board member training specific to K-12 online learning.
2. Describe the processes through which students enrolled in the Online School and their parents can access the governance structure of the school to share concerns and feedback and contribute suggestions.
3. Describe how representatives of the Online School’s community and staff have the opportunity to be involved in developing the school’s vision, mission, goals and results.

**1.4 Curriculum and Instruction**

**Authorizer:**

1. Describe the process through which the Authorizer will provide oversight and support the multi-district online school’s delivery of curriculum and instruction. The description of the process should include, but is not limited to:
   1. Evidence of capacity to fully implement the curriculum with fidelity
   2. Evidence that instructional staff have met all applicable state licensure requirements
   3. A description of the staff evaluation process, with clear links to curriculum implementation and student performance
2. What services will the Authorizer will provide to the multi-district online school related to Curriculum and Instruction?
3. Attach a copy of the multi-district online school’s calendar and proposed schedule that provides evidence of equivalent scheduled hours along with an equivalent bell schedule statement.

**School:**

1. Give the name of the curriculum used for student instruction. If provided by a third party, or if self-developed, describe the process of development. Detail how the curriculum is aligned to Colorado Academic Standards.
2. Describe the process for review, update, and refresh of the curriculum used for instruction (the online portion and the off-line portion) in order to ensure that it maintains alignment with Colorado Academic Standards and how this process allows teachers to differentiate instruction and assessment for individual students.
3. Describe fully the process of interaction between the student and the teacher in the delivery of instruction and how this process is consistent with the statutory definition of an “Online School.”
4. Describe any other staff roles and responsibilities that support or augment instructional or assessment processes within the school.

**1.5 Staff Development Plans**

**Authorizer:**

1. Describe the professional development opportunities that the district will provide to the multi-district online school staff.

**School:**

1. Describe how the current and future training needs of the multi-district online school’s staff will be determined.

1. Describe the preliminary plan for providing training to teachers and administrators in the multi-district online school, including the content of the training (e.g., online delivery of instruction, use of a specific software), the training provider, the method of delivering the training (e.g., workshop, coaching), and the duration of the training.

1. Describe how staff development activities will be tracked and evaluated for efficacy.

**1.6 Use of Software Applications and Technology**

**Authorizer:**

1. Describe the Authorizer’s plan for developing, implementing and monitoring technological services, equipment, policies and protocols with regards to data privacy, information security and the ethical use of technology-related information.
2. Describe how your technology plan protects student personally identifiable information in accordance with state and federal data privacy laws including but not limited to Children’s Online Privacy Protection Act (COPPA), the Family Educational Rights and Privacy Act (FERPA), and the Student Data Transparency and Security Act (SDTSA).
3. Describe any technology-related services the Authorizer will provide to the multi-district online school.

**School:**

1. Describe the plan to ensure that students in the multi-district online school will have access to the necessary technology to participate in the multi-district online school’s programming.

**1.7 Data Gathering, Analysis and Reporting**

**Authorizer:**

1. Describe the information systems the Authorizer will use to manage student data related to the multi-district online school. Include the staff positions that will be responsible for warehousing and interpreting the data along with a description of the work flow.
2. Describe how the Authorizer will work with the multi-district online school to collect, disaggregate, analyze and apply student and school performance data to inform the development and implementation of the unified improvement plan.
3. Describe the process in which the Authorizer will review and validate data provided by the school prior to submission to CDE as part of any official state data collection.

**School:**

1. Describe how the multi-district online school will collect and analyze student academic achievement data to develop and implement its unified improvement plan.
2. Describe the software that will be used to store and analyze data and the personnel that will be responsible to oversee the multi-district online school’s achievement data and unified improvement plan process.

**1.8 Human Resources Management**

**Authorizer:**

1. Describe the Authorizer’s system for human resources management **as it relates to the Authorizer’s capacity** to oversee the multi-district online school. The description **may include** reference to any personnel handbooks or policies that:
   * Describe the process through which the Authorizer will provide oversight of any human resources functions administered directly by the multi-district online school.
   * Describe the recruitment, hiring, termination and standard work rules for all staff; and
   * Ensure compliance with government regulations (e.g. Fair Labor Standards Act, Equal Employment Opportunity Act, Americans with Disabilities Act, Occupational Health and Safety Act, Family Leave Act).

**School:**

1. Briefly describe the intent and general contents of the multi-district online school’s staff handbook and attach a copy.

b) Provide a roster of school staff positions (instructional staff, paraprofessionals, and administrative staff).

c) Describe the relationship of the multi-district online school with its current and prospective employees (at will or contractual).

d) Describe (or attach) the policies and/or procedures that apply when the multi-district online school contracts for services with a third party, including the processes for contractor selection, contract oversight, applicable evaluation measures, payment structure, conditions for renewal and termination of the contract, and privacy and security contract terms in compliance with the Student Data Transparency and Security Act and the Family Educational Rights and Privacy Act of 1974 (FERPA).

1. Details of contracts with a third party Education Service Provider (ESP) who is providing management services should be outlined in section 3 of the application narrative (if applicable).

**1.9 Financial Management**

**Authorizer:**

1. Describe the Authorizer’s financial management system, as it relates to the Authorizer’s capacity to oversee the multi-district online school. The description may refer to governance, supervisory controls and routine reporting controls, and to business office policies and practices as relevant.
2. The school district or BOCES, as the authorizer, will not receive any state funding under the Public School Finance Act for the first six months of operation. Describe how the multi-district online school will operate for the first six months. For more information, please see Attachment 2.
3. Specify any administrative services the Authorizer will provide to the Online School.

**School:**

1. Describe the process for developing an annual budget for the multi-district online school. Attach a copy of the preliminary budget based on anticipated student enrollment for the first year of operation.
2. Describe the systems and processes by which the multi-district online school will manage accounting, purchasing, payroll, and audits.

**1.10 Facilities Management**

**Authorizer:**

1. If applicable for the Authorizer to oversee the multi-district online school, describe the Authorizer’s system for facilities management as it relates to the Authorizer’s capacity to oversee the multi-district online school. The description may refer to policies and practices related to building safety and security as well as general maintenance.

**School:**

1. Describe the multi-district online school’s facility plans, including any potential physical sites. If a facility has already been identified, describe the facility. If a physical facility has not been identified, explain the plan to do so.
2. If the multi-district online school already leases or intends to lease a facility, describe the ownership or lease arrangement of the facility.
3. Provide evidence that the facility meets any applicable building codes or health and safety requirements based on its proposed use (e.g. Learning Center or business office).

**1.11 Risk Management**

**Authorizer:**

1. Describe the Authorizer’s risk management system as it relates to the Authorizer’s capacity to oversee the multi-district online school. The description may refer to the types and levels of insurance coverage the Authorizer has in force.

**School:**

1. Briefly describe policies and procedures adopted to ensure compliance with the Children’s Internet Protection Act and attach a copy of the multi-district online school’s acceptable technology agreement for students.
2. Describe (or attach) policies and/or procedures designed to address safety and security issues related to the physical facilities used by the multi-district online school, if applicable.
3. Describe (or attach) policies and/or procedures to ensure appropriate conduct between staff members of the multi-district online school and students.
4. Describe (or attach) policies and/or procedures to ensure compliance with state regulations regarding background checks of school staff and volunteers.

**1.12 Student Academic Credit and Student Placement Policies**

**Authorizer:**

1. Describe the process through which the Authorizer will monitor and support the multi-district online school’s implementation of student academic credit policies.

**School:**

1. List the type of credits (quarter, semester, or trimester) students enrolled in the multi-district online school will earn and provide a complete list of courses that are available to students.
2. Describe (or attach) policies and/or practices consistent with the Authorizer that relate to the granting of student academic credit for completion of an online course offered by the school. Describe the requirements for granting a diploma or certificate, if applicable and how graduation requirements are in alignment with Graduation Guidelines.
3. Describe (or attach) the policies and/or procedures that determine student placement in specific classes offered by the multi-district online school.
4. Describe the multi-district online school’s requirements for grade level promotion, including credit requirements or competency benchmarks used.
5. Describe how the policies and procedures for student placement and grade level promotion ensure that students will progress toward completion within a reasonable timeline.

**1.13 Student Achievement and Attendance Policies**

**Authorizer:**

1. Describe the process through which the Authorizer will monitor and support the multi-district online school’s implementation of student achievement and attendance policies.
2. Describe the process through which the Authorizer will monitor and support the multi-district online school’s implementation of student services, including tutorial support.
3. How will the authorizer track and calculate attendance for the multi-district online school?

**School:**

1. Describe (or attach) policies and/or practices consistent with the Authorizer related to student achievement, including a list of formative and summative assessments to be administered and a timeline related to assessment frequency.
2. Describe (or attach) policies consistent with the Authorizer for tracking student attendance, including how non-attendance will be reported to the student, family, enrolling district, and Authorizer.
3. Describe the process for tracking graduation, dropout and course completion rates.

**1.14 Student Records Policies  
  
Authorizer:**

1. Describe the process through which the Authorizer will monitor and support the multi-district online school’s implementation of student records policies.

**School:**

1. Describe (or attach) policies and/or practices consistent with the Authorizer that require the multi-district online school to transmit student records (performance, attendance and assessment data) within 14 days of notice by a school district that the student has enrolled in that school.
2. Describe (or attach) policies and/or practices consistent with the Authorizer for requesting students records (performance, attendance and assessment data) from a school district from which a student has transferred to the multi-district online school.
3. Describe (or attach) policies and/or practices related to the collection and maintenance of student records, including those related to compliance with state and federal data privacy laws including but not limited to the Family Educational Rights and Privacy Act of 1974 (FERPA) and the Children’s Online Privacy Protection Act (COPPA). Attach or link to the Student Information Privacy and Protection Policy, a School Service Contract Provider Breach policy, and a Parent Rights and Complaint policy as required by the Student Data Transparency and Security Act (C.R.S. 22-16-101 *et. seq.*). Attach or link to the Records Destruction policy as required by C.R.S. 24-73-101 *et. seq*.
4. Describe the process through which the Authorizer will maintain the records of participating students on a permanent basis. *Note:* If a charter school provides the multi-district school, only the charter school and not the Authorizer is required to maintain the records.
5. Provide evidence of easily accessible contact information for the multi-district online school’s records personnel.

**1.15 Guidance Counseling and Student Support and Services**

**Authorizer:**

1. Describe the process through which the Authorizer will monitor and support the multi-district online school’s provision of guidance counseling services for all students and other student supports.

**School:**

1. Describe the guidance counseling services that the multi-district online school will provide to enrolled students in accordance with Authorizer policy, including how the school will staff these services.
2. Describe how these planned services are appropriate to the grade level and needs of the target population of students who will be served through the multi-district online school.
3. Describe the orientation activities that the multi-district online school will provide for students/families through the enrollment process.
4. Describe the process that will be used to identify struggling students and the intervention model/process that will be used to support those students.
5. Describe the policies and procedures for students to obtain instructional, technological and counseling support services.

**1.16 Equitable Access for all Students**

**Authorizer:**

1. Describe the process through which the Authorizer will monitor the multi-district online school’s implementation of policies and practices related to equitable access for all students.
2. Describe (or attach) policies and/or practices that define equitable access for all students of the multi-district online school, including English Language Learners, migrant students, students with disabilities (students with an Individualized Education Program), gifted and talented students and other populations with exceptional needs.

**School:**

1. Describe the multi-district online school’s plan for ensuring adequate staffing, technology/software and supplemental curriculum are available to support and provide ongoing monitoring for all students, including English Language Learners, migrant students, students with disabilities (students with an Individualized Education Program), gifted and talented students and other populations with exceptional needs.
2. Provide a clear description of enrollment policies and procedures, which includes, but is not limited to procedures and criteria for enrollment decisions, withdrawals and transfers.

**1.17 Multi-district Online School Communication**

**Authorizer:**

1. Describe policies and practices that guide communication between the multi-services online school and parents of enrolled students regarding student and school progress, school governance, and school accountability.
2. Describe the policy and procedure for addressing concerns or complaints in a timely manner.

**School:**

1. Describe the platforms and methods that will be used to communicate relevant, up-to-date information to parents, students and the community.
2. Briefly describe the intent and general contents of the multi-district online school’s student handbook and attach a copy.
3. Briefly describe the intent and general contents of the multi-district online school’s parent handbook and attach a copy.
4. Describe the processes for distributing the handbooks and ensuring that the target audiences understand the multi-district online school’s policies and procedures.

**2. Compliance with the Quality Standards for Online Schools and Programs**

**2.1 Written Plan for Compliance with Quality Standards for Online Schools and Programs (Plan is developed collaboratively by Authorizer and Multi-district Online School)**

1. Attach a written plan (including a specific timeline) that assures the multi-district online school will meet the *Quality Standards for Online Schools and Programs* (see pages 5-6 of application) by the time the school begins student instruction. For existing Single-district online schools and programs applying for Multi-district Certification, provide a description of how the *Quality Standards for Online Schools and Programs* compliance is being currently met. Attach a signed copy of the *Certification Regarding Compliance with Quality Standards.*

**2.2 Description of Quality Standards Review Process**

1. Describe the development through which the Authorizer and the multi-district online school developed a process that assures the periodic review of compliance with the *Quality Standards for Online Schools and Programs* (section 3.02, 1CCR301-71) developed by the Online Advisory Board and adopted by the Colorado State Board of Education.

The Office of Blended & Online Learning may periodically monitor the implementation of the plan for meeting the Compliance with Quality Standards to ensure that the approved goals are being met.

**3. School Management Contracts (to be completed only if the proposed Multi-district Online School intends to contract with an education service provider for management services)** (Refer to **Attachment 1** for additional information on contracting with management companies.)

**Section 3 is to be completed by the Authorizer**

**3.1 Overview of Education Service Provider (ESP) Selection**a) Provide an explanation of how and why the education service provider (ESP) was selected.

1. Provide a summary of how PPR will flow to the ESP. What amount of funding will be retained by the district? What amount will go to the charter (if school will be a charter school), and what amount of funding will be given directly to the ESP? Are there any individuals that will be employed by one entity but supervised by another? (For example, an employees of the ESP supervised by the school district).
2. Identify any responsibilities or potential liabilities that the district assumes in this arrangement (i.e. district will provide oversight, central staffing to oversee school, district will be responsible for overseeing Special Education Services, school uses district information systems, etc. )
3. Please make sure to highlight any specific commitments by the district, charter, or ESP in management contracts.
4. Does the authorizer have any requirements for amount of funds that will be used for educational purposes vs. limits on what can be retained as profit by a provider?
5. Provide a description of how the Authorizer will monitor expenditures of the ESP.
   1. **Examples of ESP Efficacy**
6. Provide a detailed explanation of the ESP’s success in serving student populations similar to the targeted student population in the state of Colorado. Include demonstrated academic achievement data as well as the types of assessments utilized. If the ESP has not previously operated in Colorado, provide a list of states that the ESP has operated in as well as a list of schools the ESP has managed. If previously managed schools were public, include copy of the equivalent of Colorado’s School Performance Framework (SPF).
7. Provide a description of the ESP’s successful management of non-academic school functions (e.g. back-office services, school operations, extracurricular programs). Please specify which functions the ESP will be providing to this school.
8. Provide data that details student completion rates for programs that the ESP has previously operated. What percentage of students enrolled in a program managed by the ESP passed one full year of programming within the school year?
9. What is your re-enrollment rate (for example, percentage of students who enroll in fall of 2017 who re-enroll for the fall of 2018)?
10. What percentage of students successfully graduate from your program?

**3.3 Detailed Term Sheet**

a) Include a term sheet that includes:

* Proposed duration of the management contract;
* Roles and responsibilities
* Scope of services and resources to be provided by the ESP
* Performance evaluation measures and timelines
* Compensation structure including clear identification of all fees to be paid to the ESP
* Methods of contract oversight and enforcement
* Investment disclosures
* Conditions for renewal and termination the contract

**3.4 Draft of the Proposed Management Contract Attached** a) Attach a draft of the proposed management contract including all of the above terms. This draft contract must include a data privacy addendum or other contract terms to ensure compliance with the Student Data Transparency and Security Act.

**3.5 Multi-district Online School’s Board of Education Relationship with ESP**

1. Explain the relationship between the multi-district online school’s school district board of education or charter school governing board and the ESP.
2. How will the governing board will monitor and evaluate the performance of the service provider?
3. How will the governing board monitor the internal controls that will guide the relationship?
4. How will the board ensure fulfillment of performance expectations or have the means for severing the contract?

**3.6 Explain which staff will report to or be paid by the ESP**

1. Provide a detailed explanation of which persons or positions are employees of the ESP, and which persons or positions are employees of the multi-district online school.
2. If the ESP leases employees to the multi-district online school, describe the ESP agreement for employees leased to the multi-district online school or working on multi-district online school operations and provide evidence of legal confirmation provided to the multi-district online school board that the employment structure qualifies as employee leasing.

**3.7 Evidence Corporate Entity is Authorized to do Business in Colorado**

a) Provide evidence that the corporate entity is authorized to do business in Colorado.

**Learning Centers Attachment**

Complete and submit a signed copy of this form as an email attachment to the CDE Office of Blended & Online Learning.

For *each* Learning Center for which a local school district and the multi-district online school have entered a Memorandum of Understanding, provide the identifying information below:

Learning Center Name:\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Learning Center Address:\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Learning Center Contact Person:\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Phone Number:\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ Email Address:\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

By signing this *Learning Centers Attachment*, the Authorizer certifies that for *each* Learning Center listed in this attachment:

* A consistent group of students meets more often than once a week under the supervision of a Teacher or Mentor and actively participates in the curricula of the certified multi-district online school for more than fifty percent of the school day.
* Any curriculum that is not part of the certified multi-district online school is non-religious and non-sectarian and is only offered for less than fifty percent of the school day.
* The parents or guardians of the students enrolled in the multi-district online school are not required to pay tuition on behalf of students for the multi-district online school at the Learning Center.

**Multi-district Online School:**

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Printed Name and Title Signature

**Attachment 1: Education Service Provider (ESP) Agreement Guidelines**

**Note:** These guidelines were adapted from the***Colorado Charter School*** *Sample Contract Language and Attachments, Attachment 5.* “Online School” has been substituted for “charter school,” while “Authorizer” has been substituted for “District” though a District may act as an Authorizer.These guidelines have been adapted to apply to school district boards of education contracting with an ESP in addition to a charter school board contracting with an ESP.

The original document can be accessed at: <http://charterschoolquality.org/>

1. The maximum term of an ESP agreement must not exceed the term of a charter contract. After the second year that the ESP agreement has been in effect, the school must have the option of terminating the contract without cause or a financial penalty. The agreement must be in compliance with TABOR restrictions.

2. ESP agreements must be negotiated at ‘arms-length.’ The board and ESP must have independent legal counsel to represent their interests in reaching a mutually acceptable management agreement.

3. No provision of the ESP agreement shall interfere with the board’s duty to exercise its statutory, contractual and fiduciary responsibilities governing the operation of the Online School. No provision of the ESP agreement shall prohibit the board from acting as an independent, self-governing public body, or allow decisions to be made other than in compliance with the Colorado Sunshine Law.

4. An ESP agreement shall not restrict the board from waiving its governmental immunity or require a board to assert, waive or not waive its governmental immunity.

5. No provision of an ESP agreement shall alter the board’s treasurer’s legal obligation to direct that the deposit of all funds received by the Online School be placed in the Online School’s account.

6. ESP agreements must contain at least one of the following methods for paying fees or expenses: 1) the board may pay or reimburse the ESP for approved fees or expenses upon properly presented documentation and approval by the board; or 2) the board may advance funds to the ESP for the fees or expenses associated with the *Online School’s* operation provided that documentation for the fees and expenses are provided for board ratification.

7. ESP agreements shall provide that the financial, educational and student records pertaining to the Online School are Online School property and that such records are subject to the provisions of the Colorado Open Records Act (CORA) with the exception of student personally identifiable information which is not subject to CORA. All Online School records shall be physically or electronically available, upon request, at the Online School’s physical facilities within the state of Colorado. Except as permitted under the contract and applicable law, no ESP agreement shall restrict the Authorizer’s access to the Online School’s records.

8. ESP agreements must contain a provision that all finance and other records of the ESP related to the Online School will be made available to the Online School’s independent auditor.

9. The ESP agreement must not permit the ESP to select and retain the independent auditor for the Online School.

10. If an ESP purchases equipment, materials and supplies on behalf of or as the agent of the Online School, the ESP agreement shall provide that such equipment, materials and supplies shall be and remain the property of the Online School.

11. ESP agreements shall contain a provision that if the ESP procures equipment, materials and supplies at the request of or on behalf of the Online School, the ESP shall not include any added fees or charges with the cost of equipment, materials and supplies purchased from third parties.

12. ESP agreements must contain a provision that clearly allocates the respective proprietary rights of the Online School board and the ESP to curriculum or educational materials. At a minimum, ESP agreements shall provide that the Online School owns all proprietary rights to curriculum or educational materials that (i) are both directly developed and paid for by the Online School; or (ii) were developed by the ESP at the direction of the Online School board with Online School funds dedicated for the specific purpose of developing such curriculum or materials. ESP agreements may also include a provision that restricts the Online School’s proprietary rights over curriculum or educational materials that are developed by the ESP from funds from the Online School or that are not otherwise dedicated for the specific purpose of developing Online School curriculum or educational materials. All ESP agreements shall recognize that the ESP’s educational materials and teaching techniques used by the Online School are subject to state disclosure laws and the Open Records Act.

13. ESP agreements involving employees must be clear about which persons or positions are employees of the ESP, and which persons or positions are employees of the Online School. If the ESP leases employees to the Online School, the ESP agreement must provide that the leasing company accepts full liability for benefits, salaries, worker’s compensation, unemployment compensation and liability insurance for its employees leased to the Online School or working on Online School operations. If the Online School is staffed through an employee leasing agreement, legal confirmation must be provided to the Online School board that the employment structure qualifies as employee leasing.

14. ESP agreements must contain insurance and indemnification provisions outlining the coverage the ESP will obtain. The ESP’s insurance is separate from and in addition to the insurance for the board. Insurance coverage must take into account whether or not staff at the school are employees of the ESP or the school.

15. Marketing and development costs paid by or charged to the Online School shall be limited to those costs specific to the Online School, and shall not include any costs for the marketing and development of the ESP.

16. If the Online School intends to enter into a lease, execute promissory notes or other negotiable instruments, or enter into a lease-purchase agreement or other financing relationships with the ESP, then such agreements must be separately documented and not be a part of or incorporated into the ESP agreement. Such agreements must be consistent with the Online School’s authority to terminate the ESP agreement and continue operation of the Online School.  
  
17. Online Schools must ensure that the agreements with ESP’s comply with the requirements of state and federal data privacy laws including but not limited to the Student Data Transparency and Security Act and the Family Educational Rights and Privacy Act of 1974 (FERPA).

**Attachment 2: Funding Timeline & Explanation for Section 1.9 (b)**

Projected pupil enrollment counts for the following year’s funding are established by the legislature in December. Therefore, when planning to open a new multi-district online school in the fall following the application date, financial considerations must be taken into account. Since the pupil enrollment count date determines the actual amount of funding a district receives, an Authorizer and the multi-district online school must pay attention to cash flows in order to open and operate the school for the first six months of the year. The pupil enrollment count date occurs in October. This enrollment count is completed in December and no adjustments to funding are made prior to December. Funding for the new school students reported on the pupil enrollment count date will be funded in December for the first six months of the school year. The funding for January thru June would occur on a monthly basis. The chart below illustrates the timeline for funding of the new school.

|  |  |
| --- | --- |
| **Funding Timeline** | |
| December | Legislature sets projected enrollment for following school year |
| January | First deadline for school to submit application for following school year *including financial plan for operating the first 6 months.* |
| Spring | Legislature adopts funding for following school year based on projected enrollment set in December |
| April | Second deadline for school to submit application for following school year *including financial plan for operating the first 6 months.* |
| July - November | 1/12th of funding sent to districts each month based on legislatively approved amounts |
| October | Districts conduct pupil enrollment count and submit to CDE |
| December | Pupil enrollment count finalized and districts receive a true up to ensure they have received ½ of the appropriated funding. |
| January | CDE submits supplemental appropriation to legislature for any changes in pupil counts, assessed valuations and at-risk counts. |

BOCES do not receive funds directly through the School Finance Act. The BOCES enters into contracts to provide services to students enrolled in districts.

The response to section 1.9 (b) should include an explanation of how the Authorizer and school will operate financially for the first six months of the year.

**V: Unit of Online Learning**

**Attachment 3: Multi-district Online School Additional Status Checklist**

Does the proposed multi-district online school intend to operate with any of the following statuses (check all that apply and complete applicable section(s) below)

\_\_\_\_Charter School

\_\_\_\_District School under Innovation status

\_\_\_\_Pathways in Technology Early College High Schools (P-TECH)

\_\_\_\_Alternative Education Campus (AEC)

\_\_\_\_ None of the above

**Charter School**

\_\_\_Charter School has submitted application to Authorizer  
 If yes, please provide copy of application

\_\_\_Charter School has been approved by Authorizer as a charter school   
 If yes, please provide copy of Board resolution and board meeting agenda in addition to a signed copy of charter contract

**Innovation**

\_\_\_\_School has submitted Innovation Plan to local school board. If so, attach application

\_\_\_\_Innovation Plan has been approved by local school board. If so, attach resolution

\_\_\_\_Innovation Plan has been submitted to CDE. If so, no attachments necessary

**P-TECH**

\_\_\_Has the school submitted an application for P-TECH designation? If so, state will have all applicable documentation on file.

**AEC**

\*While the school cannot apply for AEC designation in the first year of operation, if the school intends to apply for such designation in the future, the school should be aware of the following:

Pursuant to C.R.S. 22-7-6604.5(1)(a)(I), one of the criteria for AEC designation is that the school has a specialized mission and serves a special needs or at-risk population. Applicant should provide evidence within the application of the specialized AEC mission.