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

October 15, 2020

Dear Bill and Renee,

Thank you for holding the online stakeholder meeting on September 3rd to discuss the draft successor school guidance criteria.

We, as an online school community, are herein submitting feedback on these draft criteria in accordance with the October 16th feedback submission deadline. Please refer below for our suggested revisions. We would be happy to discuss this feedback prior to the October 22nd online stakeholder meeting if you so wish. Please contact Kelli Kelty of Politicalworks at kkelty@politicalworks.net and she will help coordinate a meeting with these stakeholders. Note that these stakeholders will serve approximately 23,000 of Colorado's online students in 2020-2021 and that statewide enrollment in multi-district online programs totaled 19,967 FTEs in 2019-2020.

Thank you for your consideration.

Sincerely,

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

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.*

The circumstances under which a multi-district online school may be considered a "successor school" are limited to "newly authorized multi-district online schools," (C.R.S. 22-30.7-106(9)), both when newly authorized by a different authorizer or the same authorizer as the predecessor school (C.R.S. 22-30.7-105(2)(d))

When a newly authorized multi-district online school is applying for certification with the department, a newly authorized multi-district online school may be considered a successor school under any the following conditions:

- The newly authorized multi-district online school has the following characteristics as its predecessor:
    - o   substantially the same board membership; and
    - o   substantially the same leadership team; and,
    - o   substantially the same curriculum, instruction, technology, educational services/management provider, and grade levels served);

OR

- The newly authorized multi-district online school merges previous school codes into one, or separates existing school codes into several, without substantially altering other characteristics of the predecessor(s);

New multi-district online school certification applications and any related school-code change or modification requests will be evaluated according to these criteria for newly authorized multi-district online schools. A multi-district online school will not be considered "newly authorized" if it is making changes that would otherwise not require it to seek certification. When a multi-district online school changes authorizers, thereby being "newly authorized" by the new authorizer, then it must seek certification, and is subject to being determined a successor school. If the applicant is determined to be a successor school, the applicant will be notified. If it is determined that the applicant 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.