



Memorandum

To: Joint Budget Committee Members
From: Kelly Shen, JBC Staff (303-866-5434)
Date: April 24, 2026
Subject: Potential Legislation Packet 22

If the Committee would like to approve a bill draft for introduction, the motion should include:

- Approve for introduction in the House/Senate as a JBC bill LLS 25-XXXX;
- Prime sponsors and co-sponsors; and
- Grant staff permission to make technical changes.

Each individual item has page numbers, but also a packet page number (P-XXX) to help navigate the whole document. The page numbers below refer to the packet page number that begins with a "P".

Potential Legislation

Education – Amanda Bickel

LLS 26-0983 Administration of Publicly Funded Ed ProgramsP-1

Second Regular Session
Seventy-fifth General Assembly
STATE OF COLORADO

DRAFT
4/24/26

DRAFT

LLS NO. 26-0983.01 Veronica Parish x2606

COMMITTEE BILL

Joint Budget Committee

BILL TOPIC: Administration of Publicly Funded Ed Programs
DEADLINES: File by: 4/24/2026

A BILL FOR AN ACT

101 **CONCERNING MEASURES TO IMPROVE THE ADMINISTRATION OF**
102 **PUBLICLY FUNDED PROGRAMS AVAILABLE TO STUDENTS WHO**
103 **ARE NOT FULL-TIME IN-PERSON STUDENTS, AND, IN CONNECTION**
104 **THEREWITH, REQUIRING THE DEPARTMENT OF EDUCATION TO**
105 **REPORT ON ONLINE AND PART-TIME ENRICHMENT EDUCATIONAL**
106 **PROGRAMS AND AUTHORIZING AN EXTENSION OF THE**
107 **DESIGNATION OF A BOARD OF COOPERATIVE SERVICES TO**
108 **ADMINISTER THE STATEWIDE SUPPLEMENTAL ONLINE AND**
109 **BLENDED LEARNING PROGRAM.**

Bill Summary

(Note: This summary applies to this bill as introduced and does not reflect any amendments that may be subsequently adopted. If this bill passes third reading in the house of introduction, a bill summary that

*Capital letters or bold & italic numbers indicate new material to be added to existing law.
Dashes through the words indicate deletions from existing law.*

applies to the reengrossed version of this bill will be available at <http://leg.colorado.gov/>.)

Joint Budget Committee. The bill requires the department of education (department) to submit a report to the joint budget committee regarding part-time enrichment programs and single- and multi-district online education programs, including online schools, online programs, and supplemental online courses offered by schools where students are also served on campus.

Under existing law, the statewide supplemental online and blended learning program is administered by a board of cooperative services (administering BOCES) designated by the department, and the department reviews the designation every 5 years. The bill gives the department the option and authority to extend the authorization for the current administering BOCES for up to 2 additional years prior to initiating a new 5-year designation in 2027.

1 *Be it enacted by the General Assembly of the State of Colorado:*

2 **SECTION 1.** In Colorado Revised Statutes, **add** 22-1-151 as
3 follows:

4 **22-1-151. Online education - part-time enrichment program -**
5 **report - definitions - repeal.**

6 (1) AS USED IN THIS SECTION, UNLESS THE CONTEXT OTHERWISE
7 REQUIRES:

8 (a) "IN-PERSON SCHOOL" MEANS A SCHOOL WHERE STUDENTS
9 ATTEND IN PERSON ON THE SCHOOL CAMPUS FOR INSTRUCTION, WHICH
10 SCHOOL MAY ALSO OFFER ONLINE PROGRAMS OR COURSES.

11 (b) "LOCAL EDUCATION PROVIDER" HAS THE MEANING SET FORTH
12 IN SECTION 22-7-1003.

13 (c) "MULTI-DISTRICT ONLINE SCHOOL" HAS THE MEANING SET
14 FORTH IN SECTION 22-30.7-102.

15 (d) "ONLINE PROGRAM" HAS THE MEANING SET FORTH IN SECTION
16 22-30.7-102.

1 (e) "ONLINE SCHOOL" HAS THE MEANING SET FORTH IN SECTION
2 22-30.7-102.

3 (f) "SINGLE-DISTRICT ONLINE SCHOOL" HAS THE MEANING SET
4 FORTH IN SECTION 22-30.7-102.

5 (g) "SUPPLEMENTAL PROGRAM" HAS THE MEANING SET FORTH IN
6 SECTION 22-30.7-102.

7 (2) ON OR BEFORE NOVEMBER 1, 2026, THE DEPARTMENT OF
8 EDUCATION SHALL SUBMIT A REPORT TO THE JOINT BUDGET COMMITTEE
9 REGARDING SINGLE-DISTRICT AND MULTI-DISTRICT ONLINE SCHOOLS AND
10 PART-TIME ENRICHMENT PROGRAMS.

11 (3) THE REPORT MUST INCLUDE THE FOLLOWING INFORMATION
12 PERTAINING TO ONLINE SCHOOLS, ONLINE PROGRAMS, AND SUPPLEMENTAL
13 ONLINE COURSES OFFERED BY IN-PERSON SCHOOLS:

14 (a) DESCRIPTIONS OF THE VARIOUS INSTRUCTIONAL AND FINANCIAL
15 MODELS THROUGH WHICH ONLINE SCHOOLS, ONLINE PROGRAMS, AND
16 SUPPLEMENTAL PROGRAMS ARE USED TO PROVIDE COURSE CREDIT IN K-12
17 PUBLIC EDUCATION, INCLUDING FULL-TIME ENROLLMENT, PART-TIME
18 ENROLLMENT, SUPPLEMENTAL COURSEWORK, AND CONCURRENT
19 ENROLLMENT;

20 (b) DATA ON THE NUMBER OF STUDENTS AND PERCENTAGE OF
21 STUDENTS RECEIVING ONLINE INSTRUCTION THROUGH ONLINE SCHOOLS,
22 ONLINE PROGRAMS, AND SUPPLEMENTAL PROGRAMS OFFERED BY
23 IN-PERSON SCHOOLS;

24 (c) COMMON COURSE DELIVERY METHODS, INCLUDING
25 SYNCHRONOUS AND ASYNCHRONOUS INSTRUCTION;

26 (d) COMMON CONTRACTUAL AND OTHER FINANCIAL
27 ARRANGEMENTS THROUGH WHICH COURSES ARE DELIVERED;

1 (e) THE ACADEMIC QUALITY OF ONLINE PROGRAMS AND THE
2 ACADEMIC PERFORMANCE OF STUDENTS ENROLLED IN ONLINE SCHOOLS,
3 ONLINE PROGRAMS, AND SUPPLEMENTAL PROGRAMS, TO THE EXTENT DATA
4 IS AVAILABLE. THIS MAY INCLUDE ANALYSIS OF DATA RELATED TO:

5 (I) STUDENT PARTICIPATION IN STATE ASSESSMENTS;

6 (II) STATE ACCOUNTABILITY METRICS;

7 (III) STUDENT PERSISTENCE;

8 (IV) STUDENT POSTSECONDARY OUTCOMES, SUCH AS
9 MATRICULATION TO FOUR-YEAR INSTITUTIONS OR OTHER POSTSECONDARY
10 PATHWAYS; AND

11 (V) SUPPLEMENTAL DATA, SUCH AS STUDENT-TO-TEACHER RATIOS
12 IN ONLINE SCHOOLS, ONLINE PROGRAMS, AND SUPPLEMENTAL PROGRAMS;

13 (f) OPTIONS AND RECOMMENDATIONS FOR COLLECTING
14 ADDITIONAL DATA ON A TEMPORARY OR ONGOING BASIS TO ENHANCE
15 LOCAL EDUCATION PROVIDER, COMMUNITY, AND STATE BOARD OF
16 EDUCATION VISIBILITY AND OVERSIGHT OF ONLINE SCHOOL AND ONLINE
17 PROGRAM QUALITY;

18 (g) A FISCAL ANALYSIS COMPARING STATE PAYMENT FOR ONLINE
19 SCHOOLS, ONLINE PROGRAMS, AND SUPPLEMENTAL PROGRAMS AGAINST
20 ACTUAL COSTS INCURRED. THE REPORT MAY INDICATE WHETHER
21 EXPENDITURES VARY SIGNIFICANTLY FOR DIFFERENT TYPES OF PROGRAMS.

22 (h) OPTIONS AND RECOMMENDATIONS FOR:

23 (I) OVERSIGHT STRUCTURES FOR ONLINE PROGRAMS THAT TAKE
24 INTO ACCOUNT THE OPERATIONAL REALITIES OF ONLINE EDUCATION WHILE
25 SUPPORTING HIGH-QUALITY OUTCOMES FOR STUDENTS; AND

26 (II) FUNDING CHANGES NECESSARY TO ADDRESS SIGNIFICANT
27 DISPARITIES BETWEEN PROGRAM EXPENDITURES AND PER PUPIL STATE

1 PAYMENTS FOR ONLINE SCHOOLS, ONLINE PROGRAMS, AND SUPPLEMENTAL
2 PROGRAMS TO ENSURE APPROPRIATE USE OF PUBLIC RESOURCES.

3 (4) CONCERNING PART-TIME ENRICHMENT PROGRAMS, THE REPORT
4 MUST:

5 (a) DESCRIBE AND CATEGORIZE VARIOUS TYPES OF PART-TIME
6 ENRICHMENT PROGRAMS AND MODES OF DELIVERY AND INDICATE WHICH
7 TYPES OF PROGRAMS ARE MOST PREVALENT;

8 (b) ADDRESS TO WHAT EXTENT THESE PROGRAMS ARE FOR
9 ACTIVITIES THAT ARE PROVIDED FOR FULL-TIME STUDENTS VERSUS
10 ACTIVITIES THAT ARE PROVIDED SEPARATELY FOR PART-TIME ENRICHMENT
11 STUDENTS;

12 (c) ADDRESS TO WHAT EXTENT THESE ACTIVITIES ARE ALIGNED TO
13 SUBJECTS IN WHICH STATE STANDARDS EXIST;

14 (d) COMPARE FUNDED SEAT-TIME TO ACTUAL SEAT-TIME. IF THE
15 DEADLINE TO SUBMIT THE REPORT DOES NOT ALLOW FOR ADEQUATE TIME
16 TO ADDRESS THE SEAT-TIME COMPARISON IN THE REPORT, THE REPORT
17 MUST INCORPORATE REASONABLE ESTIMATES AND IDENTIFY OPTIONS FOR
18 IMPROVING DATA QUALITY.

19 (e) INCLUDE OPTIONS AND RECOMMENDATIONS FOR CURTAILING
20 PROGRAM COSTS AND IMPROVING PROGRAM OVERSIGHT TO ENSURE
21 APPROPRIATE USE OF PUBLIC RESOURCES; AND

22 (f) ADDRESS WHETHER THE SAME PROGRAMS ARE ALSO AVAILABLE
23 FREE OF COST TO THE SCHOOL'S FULL-TIME STUDENTS WHO ARE SERVED ON
24 CAMPUS.

25 (5) TO ASSIST IN EVALUATING THE IMPACT OF THE STATEWIDE
26 SUPPLEMENTAL ONLINE AND BLENDED LEARNING PROGRAM CREATED IN
27 SECTION 22-5-119, THE DEPARTMENT OF EDUCATION SHALL USE DATA

1 COLLECTED PURSUANT TO SECTION 22-5-119 (4)(c).

2 (6) (a) THE DEPARTMENT OF EDUCATION MAY ACCESS DATA IT
3 ALREADY COLLECTS AND COLLECT ADDITIONAL DATA IT DEEMS NECESSARY
4 TO SATISFY THE REPORTING REQUIREMENTS OF THIS SECTION.

5 (b) LOCAL EDUCATION PROVIDERS SHALL PROVIDE ACCURATE
6 SURVEY RESPONSES, CONTRACTS, AND OTHER FINANCIAL DOCUMENTATION
7 RELATED TO ONLINE EDUCATION AND PART-TIME ENRICHMENT PROGRAMS
8 REQUESTED BY THE DEPARTMENT OF EDUCATION PURSUANT TO THIS
9 SECTION.

10 (7) THIS SECTION IS REPEALED, EFFECTIVE JULY 1, 2027.

11 **SECTION 2.** In Colorado Revised Statutes, 22-5-119, **add** (4)(c)
12 and (12) as follows:

13 **22-5-119. Statewide supplemental online and blended learning**
14 **program - contract - legislative declaration - definitions - repeal.**

15 (4) (c) (I) NOTWITHSTANDING SUBSECTION (4)(a) OF THIS SECTION,
16 THE DEPARTMENT MAY EXTEND THE AUTHORIZATION FOR THE
17 ADMINISTERING BOCES THAT IS ADMINISTERING THE PROGRAM ON THE
18 EFFECTIVE DATE OF THIS SECTION FOR UP TO TWO ADDITIONAL YEARS
19 PRIOR TO INITIATING A NEW FIVE-YEAR DESIGNATION.

20 (II) THIS SUBSECTION (4)(c) IS REPEALED, EFFECTIVE JULY 1, 2028.

21 (12) TO ASSIST THE STATE IN EVALUATING THE IMPACT AND
22 OUTCOMES OF THE STATEWIDE SUPPLEMENTAL ONLINE AND BLENDED
23 LEARNING PROGRAM, AT THE DEPARTMENT'S REQUEST, LOCAL EDUCATION
24 PROVIDERS SHALL PROVIDE STUDENT IDENTIFICATION NUMBERS AND
25 OTHER STUDENT-LEVEL DATA FOR STUDENTS PARTICIPATING IN THE
26 STATEWIDE SUPPLEMENTAL ONLINE AND BLENDED LEARNING PROGRAM TO
27 THE DEPARTMENT AND THE ADMINISTERING BOCES.

1 **SECTION 3. Safety clause.** The general assembly finds,
2 determines, and declares that this act is necessary for the immediate
3 preservation of the public peace, health, or safety or for appropriations for
4 the support and maintenance of the departments of the state and state
5 institutions.