Original 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.*

An online school may be considered a successor school under any the following conditions:

* The new school maintains substantially the same governance, vision, and organization as the predecessor, despite changing other characteristics (such as its curriculum, instruction, technology, educational services/management provider, or grade levels served);
* The new school merges previous school codes into one, or separates existing school codes into several, without substantially altering other characteristics of the predecessor(s);
* The new school has different characteristics but substantially the same senior staff as the predecessor;
* At least 50% of the school’s pupil enrollment is the same as the predecessor’s;

Or any combination of these considerations that, taken collectively, establish that the new school is substantially the same school as the predecessor.

New school applications and school-code change or modification requests will be evaluated according to these criteria.  If the applicant is determined to be a successor school, the applicant will be notified.  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.