DEPARTMENT OF EDUCATION

Colorado State Board of Education

RULES FOR THE ADMINISTRATION OF POSTSECONDARY AND WORKFORCE READINESS START-UP FUNDING

1 CCR 301-116

1.0 Statement of Basis and Purpose

These rules are adopted pursuant to the authority in section 22-54-203, C.R.S., as established by SB 25-315. The purpose of these rules is to enhance equity in access to postsecondary and workforce readiness programs by adopting a formula for the allocation of funds to local education providers. To that end, these rules establish a funding formula to determine a local education provider's start-up funding, the eligibility requirements for local education providers to receive such funding, and the categories of eligible expenses for such funding.

2.0 Definitions

2.1 "Department" means the Department of Education, created in section 24-1-115, C.R.S.

2.2 "Industry-recognized credential" means an industry certification and a nondegree credential, as both are defined in section 23-5-145.8, C.R.S., that satisfy the requirements developed pursuant to section 23-5-145.6(2), C.R.S., and identified in the most recent annual Colorado talent pipeline report prepared pursuant to section 24-46.3-103(3), C.R.S.

2.3 "Local Education Provider (LEP)" means a school district, a charter school authorized by a school district pursuant to part 1 of article 30.5 of title 22, a charter school authorized by the state charter school institute pursuant to part 5 of article 30.5 of title 22, or a board of cooperative services created and operating pursuant to article 5 of title 22 that operates one or more public schools.

2.4 "Postsecondary and Workforce Readiness Start-Up Funding" or "start-up funding" means funding pursuant to section 22-54-203, C.R.S.

2.5 "Postsecondary credit attainment" means transferrable college credit(s) that may be attained while a student is in high school, in alignment with the Colorado commission on higher education admissions standards set forth in section 23-1-113, C.R.S., which may include the successful completion of a concurrent enrollment course as described in sections 22-35-103 and 22-35-104 (5)(b), C.R.S., a sufficient score as determined by the State Board of Education on an end-of-course advanced placement exam, or a sufficient score in an international baccalaureate course.

2.6 "Work-based learning" means demonstrating learning through work or at work, consistent with the work-based learning quality expectations established pursuant to section 8-83-602(5), C.R.S. "Work-based learning" includes the same meaning as set forth in section 8-83-601, C.R.S.

3.0 Start-Up Funding Eligibility Requirements

3.1 General eligibility

LEP eligibility for start-up funding will be based on the formula factors identified in section 4 of these rules as well as a demonstrated need for resources to achieve equity through developing and implementing postsecondary and workforce readiness programs.

3.2 Opt-in and assurances

In order to be eligible for potential funding under the formula outlined in section 4 of these rules, an LEP must opt-in to receiving funding and provide an assurance to the Department that it is ready to use start-up funding on eligible expenses identified in section 5 of these rules. The Department shall develop a method for collecting assurances from LEPs prior to determining final funding amounts and distributing funds. Interested LEPs shall provide an assurance to the Department within 30 days after receiving notification of funding availability from the Department.

4.0 Start-Up Funding Formula

4.1 Data used to determine start-up funding

In order to create consistency across all elements of the start-up funding formula, the Department shall use the most recent set of comprehensive data across all metrics validated by the Department when calculating and distributing start-up funding.

4.2 Start-up funding formula metrics

The Department shall use the following metrics for calculations in section 4.3 of these rules. Metrics include an LEP's:

4.2(1) Postsecondary and workforce readiness program participation rate. This rate is based on student participation and outcomes as calculated by the Department for relevant postsecondary workforce readiness programs and activities such as the Career Development Incentive Program, industry recognized credentials, work-based learning, Accelerating Students through Concurrent Enrollment (ASCENT), Teacher Recruitment Education and Preparation (TREP) program, Pathways in Technology Early College High Schools (P-TECH), Innovative Learning Opportunities Pilot (ILOP) program, and early college.

4.2(2) Percentage of students in grades 9-12 identified in the annual October count as eligible for free and reduced-price lunch (FRL).

4.2(3) Chronic absenteeism rate for students in grades 9-12 as identified in the Department's annual attendance data collection.

4.2(4) Dropout rate for students in grades 9-12 as identified in the Department's annual end-of-year data collection, excluding students who are or were enrolled in an alternative school.

4.2(5) Four-year graduation rate calculated by the Department based on data from its annual end-of-year data collection.

4.2(6) National Center for Education Statistics (NECS) locale designation pursuant to section 22-54-103.5(12)(d), C.R.S.

4.3 Minimum and maximum student counts

In addition to the metrics identified in section 4.2 of these rules, the formula for start-up funding includes an LEP's adjusted funded student count for students in grades 9-12. The adjusted student count reflects the number of students in an LEP in grades 9-12 identified for funding in the annual October count. The maximum for the adjusted student count shall be 2,000 students, such that any LEP with more than 2,000 students in grades 9-12 as identified for funding in the annual October count shall have an adjusted student count of 2,000. The minimum for the adjusted student count shall be 500 students, such that any LEP with less than 500 students and at least one student in grades 9-12 as identified for funding in the annual October count shall have an adjusted student count of 500. The funded student count means the number of students in grades 9-12 identified for full-time funding only in the annual October count.

4.4 Start-up formula calculations

4.4(1) High, medium, and low threshold determinations

Each metric identified in section 4.2 of these rules shall have an associated high, medium, and low threshold for purposes of calculating start-up funding. These thresholds shall be determined annually by the Department.

4.4(2) Points awarded based on threshold determinations

LEPs are awarded points for each metric identified in section 4.2 of these rules consistent with the applicable threshold band (high, medium or low) identified in section 4.4(A) of these rules. Points awarded based on metric and threshold bands are outlined below.

4.4(2)(a) Postsecondary and workforce readiness program participation rate in grades 9-12

4.4(2)(a)(i) Above High threshold: 0.0 points

4.4(2)(a)(ii) High to Medium threshold: 1.0 points

4.4(2)(a)(iii) Medium to Low threshold: 2.0 points

4.4(2)(a)(iv) Less than Low threshold: 4.0 points

4.4(2)(b) Percentage of students in grades 9-12 identified in the annual October count as eligible for free and reduced-price lunch (FRL)

4.4(2)(b)(i) Above High threshold: 2.0 points

4.4(2)(b)(ii) High to Medium threshold: 1.5 points

4.4(2)(b)(iii) Medium to Low threshold: 1.0 points

4.4(2)(b)(iv) Less than Low threshold: 0.0 points

4.4(2)(c) Chronic absenteeism rate for students in grades 9-12 as identified in the Department's annual attendance data collection

4.4(2)(c)(i) Above High threshold: 2.0 points

4.4(2)(c)(ii) High to Medium threshold: 1.5 points

4.4(2)(c)(iii) Medium to Low threshold: 1.0 points

4.4(2)(c)(iv) Less than Low threshold: 0.0 points

4.4(2)(d) Four-year graduation rate calculated by the Department based on data from its annual end-of-year data collection

4.4(2)(d)(i) Above High threshold: 0.0 points

4.4(2)(d)(ii) High to Medium threshold: 0.5 points

4.4(2)(d)(iii) Medium to Low threshold: 0.75 points

4.4(2)(d)(iv) Less than Low threshold: 1.0 points

4.4(2)(e) Dropout rate for students in grades 9-12 as identified in the Department's annual end-of-year data collection, excluding students who are or were enrolled in an alternative school.

4.4(2)(e)(i) Above High threshold: 1.0 points

4.4(2)(e)(ii) High to Medium threshold: 0.75 points

4.4(2)(e)(iii) Medium to Low threshold: 0.5 points

4.4(2)(e)(iv) Less than Low threshold: 0.0 points

4.4(2)(f) NCES Locale Classification type and subtype as determined by the National Center for Education Statistics in the Institute of Education Sciences of the United States Department of Education.

4.4(2)(f)(i) Rural: Remote: 2.0 points

4.4(2)(f)(ii) Rural: Distant: 1.75 points

4.4(2)(f)(iii) Rural: Fringe: 1.5 points

4.4(2)(f)(iv) Town: Remote: 1.25 points

4.4(2)(f)(v) Town: Distant: 1.0 points

4.4(2)(f)(vi) Town: Fringe: 0.75 points

4.4(2)(f)(vii) Suburban: Small: 0.0 points

4.4(2)(f)(viii) Suburban: Midsize: 0.0 points

4.4(2)(f)(ix) Suburban: Large: 0.0 points

4.4(2)(f)(x) City: Small: 0.0 points

4.4(2)(f)(xi) City: Midsize: 0.0 points

4.4(2)(f)(xii) City: Large: 0.0 points

4.4(3) Allocation calculation

4.4(3)(a) In order to calculate an LEPs allocation of start-up funding, the Department shall sum the LEP's points for each metric as determined in section 4.4(2) of these rules.

4.4(3)(a)(i) If the sum of those points is greater than or equal to the point threshold as determined by the department, then the Department shall calculate Start-Up funding as follows:

4.4(3)(a)(i)(A) The Department shall sum the LEP's points for each metric as determined in section 4.4(2) of these rules and multiply the total points by the LEPs adjusted student count as determined under section 4.3 of these rules.

4.4(3)(a)(i)(B) The Department shall calculate the summation of all remaining eligible LEPs total point allocations multiplied by all eligible remaining LEPs grades 9-12 adjusted student count.

4.4(3)(a)(i)(C) The Department shall then divide the amount calculated under section 4.4(3)(a)(i)(A) of these rules by the amount calculated under section 4.4(3)(a)(i)(B) of these rules.

4.4(3)(a)(i)(D) The Department shall then multiply the amount calculated under section 4.4(3)(a)(i)(C) of these rules by the amount available annually for Start-Up funding.

4.4(3)(a)(ii) If the sum of the points calculated for an LEP under section 4.4(3)(a) of these rules is less than point threshold identified by the Department, then an LEP is not eligible for Start-Up funding for the current fiscal year.

5.0 Start-Up Funding Eligible Expenses

LEPs shall use start-up funding for expenses that are associated with developing and implementing a postsecondary and workforce readiness program that fits into one or more of the categories identified in section 5.1 of these rules, aligns with the state's workforce demands

or priorities, and supports students in successfully earning postsecondary credit or industry-recognized credentials, or successfully completing work-based learning requirements.

5.1 Categories of eligible expenses

The following are considered categories of eligible expenses for start-up funding:

5.1(1) Program planning and design. Eligible expenses in this category may include, but are not necessarily limited to, paying school staff for additional time to write curriculum and develop new Career and Technical Education programs.

5.1(2) Course materials, technology, and equipment. Eligible expenses in this category may include, but are not necessarily limited to curriculum, books, software and software subscriptions, machines, supplies, industry-aligned tools and equipment, equipment upkeep and repair, industry certification fees, and Advanced Placement and International Baccalaureate exam fees.

5.1(3) Professional development, certification, authorization, or licensure. Eligible expenses in this category may include, but are not necessarily limited to, initial or professional Career and Technical Education authorization and endorsement; staff tuition reimbursement; costs associated with creating and implementing staff training related to quality in-demand non-degree credentials, earned postsecondary credits, or high-quality work-based learning opportunities.

5.1(4) Contracting with an entity or hiring school staff to support the development and implementation of a postsecondary workforce readiness program. Eligible expenses in this category may include, but are not necessarily limited to, school and district staff salaries to develop partnerships and write curriculum; contracting with BOCES, multi-district collaboratives and intermediary partners to analyze local workforce needs and develop partnerships; contracting for technical assistance to help design and establish postsecondary workforce readiness programs.

5.1(5) Individual career and academic plan resources and supports, as described in section 22-2-136, C.R.S., including academic and career advising and exploration. Eligible expenses in this category may include, but are not necessarily limited to, student support staff salaries, such as school counselors, and online platforms to manage individual career and academic plan processes.

5.1(6) Costs associated with concurrent enrollment. Eligible expenses in this category may include, but are not necessarily limited to, covering expenses for teachers to become qualified concurrent enrollment instructors, student fees, transportation costs, stipends for concurrent enrollment teachers. However, student tuition for concurrent enrollment is not an eligible expense.

5.1(7) Costs associated with work-based learning. Eligible expenses in this category may include, but are not necessarily limited to, student stipends, apprentice wages, background check fees for employees working with students, costs associated with labor market analysis, and insurance costs.

5.1(8) Transportation costs. Eligible expenses in this category may include, but are not necessarily limited to, district-owned transportation, public transportation and transportation alternatives such as rideshares.

5.1(9) Outreach, awareness and marketing costs to help students, families and businesses learn about available postsecondary workforce readiness opportunities. Eligible expenses in this category may include, but are not necessarily limited to, graphic design, advertising fees and printing fees.

6.0 Economies of scale

LEPs are encouraged to collaborate with each other, as well as board of cooperative services (BOCES) to maximize economies of scale and expand student access to a postsecondary and workforce readiness program.