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### **Senate accord fleshes out online schools' oversight**

**The measure, designed to address problems found in an audit, charges a new state division with creating quality standards for the programs.**

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**By Jennifer Brown, Denver Post Staff Writer**

The Senate compromised Thursday on far-reaching legislation to oversee online schools, aiming to address problems of sloppy spending and poor student performance raised in a state audit.

Senators revived a toned-down version of the bill after scrapping the first draft a week ago, saying it stifled cyberschools.

"We need to allow this innovation and this technology and this chance to grow," said Senate President pro tem Peter Groff, D-Denver. "In the original bill, that wasn't going to happen. It was not in the best interest of the kids."

Before shooting down the first version, senators had accused the bill's sponsor, Sen. Sue Windels, D-Arvada, of unfairly targeting online programs.

Windels' proposal was killed just after the public release of her e-mail to an online school official in which she said some students choose cyberschools because they are lazy.

Senate Bill 215 sets up a four-person online division in the Colorado Department of Education and charges it with creating quality standards for online programs.

The new division would evaluate applications from multidistrict online programs and recommend to the State Board of Education whether the programs should be allowed to open.

Windels, a teacher, had proposed funding the new division by taking a portion of the per-pupil funding for online students, but that was unpopular with online school officials and some fellow lawmakers.

Instead, money recovered from school districts after enrollment audits will fund the new online division.

The bill requires online learning centers to get permission from the local school district before opening. If the district refuses, the cyberschool can appeal to the State Board of Education - a section added as part of the compromise.

Much of the state audit on online education focused on Hope Online Learning Academy, a charter school authorized by the Vilas School District that operates about 80 learning centers across the state.

The legislation removes a requirement that home-schooled or private-school children must attend a public school before enrolling in an online program.

The bill received bipartisan support, but Republicans were leery of sending it to the House Education Committee. The Democratic-controlled panel has been accused of not being supportive enough of school-choice options.

A commission that studied online programs after the state audit recommended many of the proposals in the measure.

"We absolutely felt as though there was an appropriate state role that needed to be filled," said Nina Lopez, policy director at the Donnell-Kay Foundation, which set up the commission. "I'm really pleased."

From 2003 to 2006, the number of online schools in Colorado increased from 12 to 18, and the number of students more than tripled - from 1,900 to about 6,200.

Annual funding for online schools jumped from \$8.4 million to \$32.8 million during the same period.

The bill needs final approval from the Senate before going to the House.

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