**Draft Successor School Guidance-Updated with Stakeholder Feedback**

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.*

**Departmental Criteria**

1. When a newly authorized multi-district online school is reviewed by the department, a newly authorized multi-district online school may be considered a successor school under the following conditions:

* The newly authorized multi-district online school has two or more of the following characteristics as its predecessor:
  + The school has 25% or more of the same board membership if the school is a charter school;
  + The school has the same principal, assistant principal, or chief executive
  + The school has the same educational service provider even if such provider changes its name
  + The school has the same digital curriculum provider even if such provider changes its name
* The purpose of the successor school review of such a school is to determine whether the accountability history for an existing multi-district online school that is on performance watch should follow to the newly authorized school or to determine whether the school is a successor of a school that was closed by order of the State Board.

1. Outside of the review described in #1, an existing multi-district online school that merges previous school codes into one or separates an existing school code into several will automatically have the new school code or codes deemed as a successor school or schools for the purpose of extending the performance watch history of the predecessor school to the applicable successor schools.

Newly authorized multi-district online schools and existing online schools seeking school code change requests will be evaluated according to these criteria as is applicable to their circumstance. 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.