

## CHAPTER 198

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**EDUCATION - PUBLIC SCHOOLS**


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## SENATE BILL 23-065

BY SENATOR(S) Lundeen and Bridges, Buckner, Cutter, Exum, Moreno, Priola, Rich, Zenzinger;  
 also REPRESENTATIVE(S) Bird and Wilson, Amabile, Bacon, Brown, Dickson, Duran, English, Hamrick, Herod, Joseph, Lieder,  
 Lindsay, Lukens, Martinez, McLachlan, Michaelson Jenet, Snyder, Titone, Velasco, Young, McCluskie.

## AN ACT

**CONCERNING CHANGES TO THE CAREER DEVELOPMENT SUCCESS PROGRAM, AND, IN CONNECTION THEREWITH, MAKING AN APPROPRIATION.**

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

**SECTION 1.** In Colorado Revised Statutes, 22-54-138, **amend** (1)(i)(III), (1)(j), (2), (4)(a), (4)(b) introductory portion, (4)(b.5), (5)(a), (5)(b)(I), (5)(b)(II), (5)(c), (5)(d), (7)(a) introductory portion, (8)(a), (8)(b), (8)(d), (8)(i), (8.5)(a)(II), (8.5)(b), (8.7), and (9); **repeal** (4)(d); and **add** (1)(e.5), (1)(i)(IV), (5)(e), and (5)(f) as follows:

**22-54-138. Career development success program - created - funding - report - legislative declaration - definitions - repeal.** (1) As used in this section, unless the context otherwise requires:

(e.5) "PARTICIPATING BOARD OF COOPERATIVE SERVICES" MEANS A BOARD OF COOPERATIVE SERVICES CREATED AND OPERATING PURSUANT TO ARTICLE 5 OF THIS TITLE 22 THAT CHOOSES TO PARTICIPATE IN THE CAREER DEVELOPMENT SUCCESS PROGRAM CREATED IN THIS SECTION.

(i) "Qualified industry-credential program" means a career and technical education program that:

(III) Is identified by the Colorado work force development council as provided in subsection (3) of this section; OR

(IV) A CONSTRUCTION INDUSTRY APPRENTICESHIP PROGRAM, A CONSTRUCTION INDUSTRY PRE-APPRENTICESHIP PROGRAM, OR ANY OTHER INDUSTRY

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*Capital letters or bold & italic numbers indicate new material added to existing law; dashes through words or numbers indicate deletions from existing law and such material is not part of the act.*

APPRENTICESHIP OR PRE-APPRENTICESHIP PROGRAM THAT IS IDENTIFIED BY THE COLORADO WORK FORCE DEVELOPMENT COUNCIL AS PROVIDED IN SUBSECTION (3) OF THIS SECTION.

(j) ~~"Qualified workplace training program" means an internship program, a construction industry apprenticeship program, a construction industry pre-apprenticeship program, or any other industry apprenticeship or pre-apprenticeship program that is identified by the Colorado work force development council as provided in subsection (3) of this section.~~

(2) There is created the career development success program in the department of education to provide financial incentives for participating districts, A PARTICIPATING BOARD OF COOPERATIVE SERVICES, and participating charter schools to encourage pupils enrolled in grades nine through twelve to enroll in and successfully complete qualified industry-credential programs; qualified workplace training programs; and qualified advanced placement courses. For the 2017-18 budget year and each budget year thereafter, each participating district, EACH PARTICIPATING BOARD OF COOPERATIVE SERVICES, and each participating charter school, as provided in subsection (5) of this section, may receive up to one thousand dollars for each pupil who, in the preceding budget year, successfully completes a qualified industry-credential program; qualified workplace training program; or qualified advanced placement course.

(4) (a) Each district, EACH BOARD OF COOPERATIVE SERVICES, and each charter school may decide annually whether to participate in the career development success program. If a district chooses not to participate in the program but a charter school that is authorized by the district chooses to participate in the program, the nonparticipating district shall report the participating charter school pupil enrollments to the department of education as provided in this subsection (4) on behalf of the participating charter school and distribute to the participating charter school one hundred percent of the money received on behalf of the pupils enrolled in the participating charter school as provided in subsection (5) of this section.

(b) By June 30, 2017, and by June 30 each year thereafter, each participating district, each nonparticipating district on behalf of its participating charter schools, EACH PARTICIPATING BOARD OF COOPERATIVE SERVICES, and the institute on behalf of each participating institute charter school, shall report to the department of education the total number of pupils enrolled in the participating district, the participating charter schools of the nonparticipating district, THE PARTICIPATING BOARD OF COOPERATIVE SERVICES, or the participating institute charter schools who, during the school year that ends on that June 30:

(b.5) Each participating district, each nonparticipating district on behalf of its participating charter schools, EACH PARTICIPATING BOARD OF COOPERATIVE SERVICES, and the institute on behalf of each participating institute charter school, in addition to reporting the totals, shall disaggregate, to the extent possible while maintaining student privacy, the information reported pursuant to subsection (4)(b) of this section by the students' race, ethnicity, and gender, and whether a student is a student with a disability, an English language learner, or ~~eligible for free or reduced-price lunch pursuant to the federal "Richard B. Russell National School~~

~~Lunch Act", 42 U.S.C. sec. 1751 et seq."~~ IDENTIFIED AS AT-RISK DUE TO ECONOMIC DISADVANTAGE IN THE STATE SCHOOL FINANCE FORMULA.

~~(d) A pupil successfully completes a qualified industry pre-apprenticeship program if the student completes the course requirements of the program with a passing grade and is accepted into an industry apprenticeship program as a registered apprentice.~~

(5) (a) Beginning in the ~~2017-18~~ **2023-24** budget year and each budget year thereafter, the general assembly shall annually appropriate at least ~~one~~ NINE million FIVE HUNDRED THOUSAND dollars to the department of education for the career development success program. The department shall distribute the money as provided in this subsection (5).

(b) (I) For each budget year, the department of education shall first distribute to each district, EACH BOARD OF COOPERATIVE SERVICES, and to the institute an amount equal to one thousand dollars multiplied by the number of pupils reported by the district, THE BOARD OF COOPERATIVE SERVICES, or the institute as successfully earning an industry certificate by completing a qualified industry-credential program; except that a participating district, PARTICIPATING BOARD OF COOPERATIVE SERVICES, or participating charter school shall not receive a distribution for more than ten percent of the total number of completed industry certificates reported by districts and the institute.

(II) Notwithstanding the provisions of subsection (5)(b)(I) of this section, if the amount appropriated is insufficient to fully fund the total number of completed industry certificates eligible for distribution under subsection (5)(b)(I) of this section, the department of education shall reduce the amount distributed to each district, EACH BOARD OF COOPERATIVE SERVICES, and to the institute by the same percentage that the deficit bears to the amount required to fully fund the total number of completed industry certificates eligible for distribution under subsection (5)(b)(I) of this section.

(c) In a budget year in which there is money remaining in the appropriation made pursuant to subsection (5)(a) of this section after distributing the money as provided in subsection (5)(b) of this section, the department of education shall distribute to each district, EACH BOARD OF COOPERATIVE SERVICES, and to the institute an amount equal to one thousand dollars multiplied by the number of pupils reported by the district or the institute as successfully completing a qualified workplace training program; except that, if the amount remaining is insufficient to fully fund the total number of reported pupils, the department of education shall reduce the amount distributed to each district, EACH BOARD OF COOPERATIVE SERVICES, and to the institute by the same percentage that the deficit bears to the amount required to fully fund the total number of pupils reported as successfully completing a qualified workplace training program.

(d) In a budget year in which there is money remaining in the appropriation made pursuant to ~~paragraph (a) of this subsection (5)~~ SUBSECTION (5)(a) OF THIS SECTION after distributing the money as provided in ~~paragraphs (b) and (c) of this subsection (5)~~ SUBSECTIONS (5)(b) AND (5)(c) OF THIS SECTION, the department of education shall distribute to each district, EACH BOARD OF COOPERATIVE SERVICES, and to the

institute an amount equal to one thousand dollars multiplied by the number of pupils reported by the district, THE BOARD OF COOPERATIVE SERVICES, or the institute as successfully completing a qualified advanced placement course; except that, if the amount remaining is insufficient to fully fund the total number of reported pupils, the department of education shall reduce the amount distributed to each district, EACH BOARD OF COOPERATIVE SERVICES, and to the institute by the same percentage that the deficit bears to the amount required to fully fund the total number of pupils reported as successfully completing a qualified advanced placement course.

(e) THE DEPARTMENT OF EDUCATION SHALL PROVIDE A PARTICIPATING DISTRICT, PARTICIPATING BOARD OF COOPERATIVE SERVICES, OR PARTICIPATING CHARTER SCHOOL ONE HUNDRED TWENTY PERCENT OF THE PER-PUPIL AMOUNT DISTRIBUTED PURSUANT TO THIS SUBSECTION (5) FOR EACH PUPIL WHO IS IDENTIFIED AS AT-RISK DUE TO ECONOMIC DISADVANTAGE IN THE STATE SCHOOL FINANCE FORMULA AND WHO SUCCESSFULLY EARNED AN INDUSTRY CERTIFICATE BY COMPLETING A QUALIFIED INDUSTRY-CREDENTIAL PROGRAM, A QUALIFIED WORKPLACE TRAINING PROGRAM, OR A QUALIFIED ADVANCED PLACEMENT COURSE.

(f) (I) FOR THE 2023-24 BUDGET YEAR, THE DEPARTMENT OF EDUCATION SHALL PROVIDE AN ADDITIONAL AMOUNT OF MONEY EQUAL TO THE TOTAL AMOUNT OF PER PUPIL MONEY AWARDED PURSUANT TO SUBSECTION (5)(b)(I) OF THIS SECTION TO ANY PARTICIPATING DISTRICT, PARTICIPATING CHARTER SCHOOL, THE INSTITUTE ON BEHALF OF EACH PARTICIPATING INSTITUTE CHARTER SCHOOL, AND PARTICIPATING BOARD OF COOPERATIVE SERVICES THAT DEMONSTRATES, AS OF THE 2023-24 SCHOOL YEAR, THAT ALL STUDENTS ARE REQUIRED TO ENROLL IN AND SUCCESSFULLY COMPLETE AT LEAST ONE QUALIFIED INDUSTRY-CREDENTIAL PROGRAM; ONE QUALIFIED WORKPLACE TRAINING PROGRAM; OR ONE QUALIFIED ADVANCED PLACEMENT COURSE PRIOR TO GRADUATION. A SCHOOL DISTRICT MAY ALSO RECEIVE MONEY FOR AN INDIVIDUAL SCHOOL WITHIN THE SCHOOL DISTRICT THAT CAN DEMONSTRATE SUCH REQUIREMENTS.

(II) FOR THE 2023-24 BUDGET YEAR, THE DEPARTMENT OF EDUCATION SHALL USE FIVE MILLION DOLLARS OF THE MONEY APPROPRIATED PURSUANT TO SUBSECTION (5)(a) OF THIS SECTION FOR THE PURPOSES OF THIS SUBSECTION (5)(f). ANY MONEY RECEIVED PURSUANT TO THIS SUBSECTION (5)(f) MUST BE USED TO PROMOTE THE AVAILABILITY OF QUALIFIED INDUSTRY-CREDENTIAL PROGRAMS, QUALIFIED WORKPLACE TRAINING PROGRAMS, AND QUALIFIED ADVANCED PLACEMENT COURSES. THE DEPARTMENT OF EDUCATION MAY REALLOCATE ANY REMAINING MONEY RECEIVED PURSUANT TO THIS SUBSECTION (5)(f) FOR THE PURPOSES DESCRIBED IN SUBSECTION (5)(b)(I) OF THIS SECTION.

(III) THIS SUBSECTION (5)(f) IS REPEALED, EFFECTIVE JULY 1, 2024.

(7) (a) Each participating district, EACH PARTICIPATING BOARD OF COOPERATIVE SERVICES, and each participating charter school shall regularly communicate to all middle and high school students and the students' families:

(8) At the hearing with the joint education committee of the general assembly held in accordance with section 2-7-203 in November or December 2017, and at the hearing held each year thereafter, the department of education shall provide a report

that describes the outcomes achieved by the career development success program. At a minimum, the report must include the following information:

(a) The number of districts, BOARDS OF COOPERATIVE SERVICES, and charter schools that participated in the program;

(b) The number of students in each year of the program that the participating districts, PARTICIPATING BOARDS OF COOPERATIVE SERVICES, and participating charter schools reported as earning an industry certificate by completing a qualified industry-credential program; successfully completing a qualified workplace training program; or completing a qualified advanced placement course and earning a score on the end-of-course exam that is eligible for college credit. The department shall report the student numbers in totals and disaggregated based on the student demographics specified in subsection (4)(b.5) of this section.

(d) The total amount appropriated for the program and the amounts distributed pursuant to each of subsections (5)(b), (5)(c), and (5)(d) of this section, in total and to each participating district, PARTICIPATING BOARD OF COOPERATIVE SERVICES, and participating charter school;

(i) How the participating district, PARTICIPATING BOARD OF COOPERATIVE SERVICES, or participating charter school determined which qualified industry-credential programs; qualified workplace training programs; and qualified advancement placement courses to offer, including how the programs are aligned with state or local workforce needs.

(8.5)(a) No later than July 1, 2022, the department of education, in collaboration with the Colorado community college system, shall publish and disseminate materials through existing and relevant platforms used to engage with districts that include, at a minimum:

(II) For each of the top ten industry-recognized credentials, a sample communications plan for how a participating district, PARTICIPATING BOARD OF COOPERATIVE SERVICES, or participating charter school may communicate the value of credentials and experiences to students and parents. The communications plan must include information on how to educate parents and students about how high school credit is tied to credentials and the courses included as a part of the credential pathway based on alignment with the state academic standards, state graduation guidelines adopted pursuant to section 22-2-106 (1)(a.5), and postsecondary credit, which may include credit through concurrent enrollment.

(b) Any materials published and disseminated pursuant to this subsection (8.5) must be made available to middle and high school students at a reasonable time before any participating district's, PARTICIPATING BOARD OF COOPERATIVE SERVICES', or participating charter school's course selection deadline.

(8.7)(a) A participating district DISTRICT, PARTICIPATING BOARD OF COOPERATIVE SERVICES, or participating charter school shall utilize the money received pursuant to subsection (5) of this section to promote access to qualified industry-credential programs; qualified workplace training programs; and qualified advanced placement courses, which may include:

(a) (I) Working with local workforce boards to determine the programs and courses that will help to meet local workforce needs;

(b) (II) Communicating with students and the students' families about the programs and courses in a language that the students and the students' families understand;

(c) (III) Purchasing and maintaining equipment and supplies for the programs and courses, which may include the cost of examinations related to such programs and courses; and

(d) (IV) Assisting students, including students who are eligible for free or reduced-price lunch pursuant to the federal "Richard B. Russell National School Lunch Act", 42 U.S.C. sec. 1751 et seq., students with disabilities, and students who are English language learners, with the support needed to access and succeed in the programs and courses.

(b) A PARTICIPATING SCHOOL DISTRICT OR PARTICIPATING CHARTER SCHOOL MAY CONTRACT WITH A THIRD PARTY TO PROVIDE THE SERVICES DESCRIBED IN THIS SUBSECTION (8.7).

(9) This section is repealed, effective ~~September 1, 2024~~ SEPTEMBER 1, 2034.

**SECTION 2. Appropriation.** (1) For the 2023-24 state fiscal year, \$5,000,000 is appropriated to the department of education. This appropriation is from the general fund and is based on an assumption that the department will require an additional 0.9 FTE. To implement this act, the department may use this appropriation for the career development success program.

**SECTION 3. Act subject to petition - effective date.** This act takes effect at 12:01 a.m. on the day following the expiration of the ninety-day period after final adjournment of the general assembly; except that, if a referendum petition is filed pursuant to section 1 (3) of article V of the state constitution against this act or an item, section, or part of this act within such period, then the act, item, section, or part will not take effect unless approved by the people at the general election to be held in November 2024 and, in such case, will take effect on the date of the official declaration of the vote thereon by the governor.

Approved: May 16, 2023