

**First Regular Session
Seventy-first General Assembly
STATE OF COLORADO**

INTRODUCED

LLS NO. 17-0400.01 Brita Darling x2241

SENATE BILL 17-118

SENATE SPONSORSHIP

Fields,

HOUSE SPONSORSHIP

Weissman,

Senate Committees

State, Veterans, & Military Affairs

House Committees

A BILL FOR AN ACT

101 **CONCERNING CONSUMER INFORMATION ON POSTSECONDARY TRAINING**
102 **PROGRAMS.**

Bill Summary

(Note: This summary applies to this bill as introduced and does not reflect any amendments that may be subsequently adopted. If this bill passes third reading in the house of introduction, a bill summary that applies to the reengrossed version of this bill will be available at <http://leg.colorado.gov/>.)

The bill expands the information that private occupational schools (schools) must provide to prospective students before the student enrolls in a program. The additional information that must be provided is set forth in the bill and includes, in part, program completion rates, post-graduation employment rates, average and median student loan debt, loan repayment rates, and legal barriers to entry into an occupation for

Shading denotes HOUSE amendment. Double underlining denotes SENATE amendment.
Capital letters indicate new material to be added to existing statute.
Dashes through the words indicate deletions from existing statute.

which the school provides a training program.

The division of private occupational schools in the department of higher education (department) shall collect the data schools are required to provide to prospective students and any other data requested by the department to populate a postsecondary education and training comparative tool (comparative tool) created in the bill. The private occupational school board (board) shall prescribe policies and procedures for the collection of information from the schools. The board may determine a time frame for schools to provide information that is temporarily unavailable and may exempt a school or schools from certain information that is unreasonably burdensome for the school or schools to provide.

The bill directs the department to use the information collected from schools to populate the comparative tool. The comparative tool is a free, public, online resource that allows prospective students and interested persons to access information regarding schools to assist in making informed decisions about postsecondary education and training program options in the state.

The comparative tool includes, in part, information on career selection and jobs in demand in the future and information relating to schools and programs including program completion rates, employment rates and earnings, and the aggregate amount of student debt.

The department shall report to the general assembly concerning implementation of the comparative tool.

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

2 **SECTION 1. Legislative declaration.** (1) The general assembly
3 hereby finds and declares that:

4 (a) Many Coloradans seek additional education and training to get
5 a good job or increase their earnings;

6 (b) Postsecondary education and training is one of the largest
7 investments that people make; and

8 (c) The average student debt for the majority of Colorado students
9 who graduate with debt exceeds \$25,000.

10 (2) Therefore, the general assembly declares that it is important
11 for prospective consumers of postsecondary education to have

1 information, including graduation rates and earnings of students
2 completing programs, in order to make informed decisions about student
3 loan debt.

4 **SECTION 2.** In Colorado Revised Statutes, 12-59-105.3, **amend**
5 (1) introductory portion; and **add** (1)(o) as follows:

6 **12-59-105.3. Powers and duties of board.** (1) The board ~~shall~~
7 ~~have~~ HAS the following powers and duties:

8 (o) TO PRESCRIBE UNIFORM POLICIES AND PROCEDURES FOR THE
9 COLLECTION OF INFORMATION FROM PRIVATE OCCUPATIONAL SCHOOLS
10 PURSUANT TO SECTIONS 12-59-106 AND 23-1-134.

11 **SECTION 3.** In Colorado Revised Statutes, **amend** 12-59-105.4
12 as follows:

13 **12-59-105.4. Duties of private occupational schools.** (1) A
14 private occupational school shall provide the division with such data as
15 the board deems necessary upon written request of the board. Data
16 pertaining to individual students or personnel ~~shall~~ MUST not be divulged
17 or made known in any way by a member of the board, by the director, or
18 by any division or school employee, except in accordance with judicial
19 order or as otherwise provided by law. A person who violates this section
20 commits a class 1 misdemeanor and ~~shall be~~ IS punished as provided in
21 section 18-1.3-501. ~~C.R.S.~~ In addition, ~~such~~ THE person ~~shall be~~ IS subject
22 to removal or dismissal from public service on grounds of malfeasance
23 in office.

24 (2) A PRIVATE OCCUPATIONAL SCHOOL SHALL ANNUALLY COLLECT
25 AND PROVIDE TO THE DIVISION PURSUANT TO SECTION 12-59-105.3 (1)(o)
26 INFORMATION THAT IS REQUIRED TO BE PROVIDED TO PROSPECTIVE
27 STUDENTS PURSUANT TO SECTION 12-59-106 AND ANY INFORMATION

1 REQUESTED BY THE DEPARTMENT OF HIGHER EDUCATION FOR PURPOSES
2 OF POPULATING THE POSTSECONDARY EDUCATION AND TRAINING
3 PROGRAM COMPARATIVE TOOL DESCRIBED IN SECTION 23-1-134,
4 INCLUDING STUDENT-LEVEL RECORDS THAT MAY BE MATCHED WITH
5 OTHER STATE-HELD DATA TO DETERMINE TRANSFERS AND EMPLOYMENT
6 INFORMATION.

7 **SECTION 4.** In Colorado Revised Statutes, 12-59-106, **amend**
8 (1)(f) as follows:

9 **12-59-106. Minimum standards.** (1) In establishing the criteria
10 required by section 12-59-105.3 (1)(a), (1)(b), and (1)(k), the board shall
11 observe and require compliance with at least the following minimum
12 standards for all schools:

13 (f) (I) That, PRIOR TO THE BEGINNING OF CLASSES AND THE
14 EXECUTION OF AND PAYMENT TOWARD AN INITIAL ENROLLMENT
15 AGREEMENT OR CONTRACT, the school ~~provides~~ MAKES AVAILABLE TO
16 each prospective student ~~with a school catalog and other~~ BOTH ONLINE
17 AND printed information describing:

18 (A) The educational services offered, ~~and describing~~ entrance
19 requirements, program objectives, AND THE length of programs;

20 (B) THE schedule of tuitions, fees, AND all other charges and
21 expenses necessary for the completion of the program of study, AS WELL
22 AS cancellation and refund policies;

23 (C) PROGRAM COMPLETION RATES;

24 (D) STUDENT TRANSFER RATES FROM THE SCHOOL TO OTHER
25 INSTITUTIONS OF HIGHER EDUCATION, IF KNOWN BY THE INSTITUTION;

26 (E) THE PERCENTAGE OF STUDENTS EMPLOYED AFTER COMPLETION
27 OR EXIT FROM THE PROGRAM FOR THE CALENDAR PERIODS DETERMINED BY

1 THE BOARD;

2 (F) THE MEDIAN SALARY OF STUDENTS AFTER COMPLETION OR
3 EXIT FROM THE PROGRAM FOR THE CALENDAR PERIODS DETERMINED BY
4 THE BOARD;

5 (G) IF THE SCHOOL PARTICIPATES IN THE FEDERAL STUDENT LOAN
6 PROGRAM, THE AVERAGE AND MEDIAN PER-STUDENT AMOUNT OF FEDERAL
7 STUDENT LOAN DEBT UPON COMPLETION OR EXIT FROM THE PROGRAM, THE
8 PER-STUDENT FEDERAL LOAN REPAYMENT RATE FOR THE PROGRAM, AND
9 THE COHORT DEFAULT RATE FOR THE PROGRAM, SO LONG AS THE
10 INFORMATION IS AVAILABLE FROM THE FEDERAL GOVERNMENT;

11 (H) ANY LEGAL BARRIERS TO ENTRY INTO AN OCCUPATION FOR
12 WHICH THE SCHOOL OFFERS A TRAINING PROGRAM; and

13 (I) ~~such~~ ANY other material facts concerning the school and the
14 program of instruction that are likely to affect the decision of a student to
15 enroll ~~therein~~ IN THE SCHOOL OR PROGRAM as required by the board; ~~and~~
16 ~~that such information is provided to a prospective student prior to the~~
17 ~~commencement of classes and the execution of any enrollment agreement~~
18 ~~or contract;~~

19 (II) THE SCHOOL SHALL PROVIDE THE INFORMATION REQUIRED
20 PURSUANT TO SUBSECTION (1)(f)(I) OF THIS SECTION FOR EACH PROGRAM
21 AT EACH CAMPUS OR LOCATION; AND

22 (III) NOTWITHSTANDING THE REQUIREMENT TO PROVIDE
23 PROSPECTIVE STUDENTS WITH THE INFORMATION LISTED IN SUBSECTION
24 (1)(f)(I) OF THIS SECTION, THE BOARD MAY DETERMINE ON A
25 CASE-BY-CASE BASIS THAT THE INFORMATION TO BE DISCLOSED IS
26 UNAVAILABLE OR THAT THE TIME FRAME FOR DISCLOSURE BY SCHOOLS OF
27 SPECIFIC INFORMATION IS UNREASONABLY BURDENSOME;

1 **SECTION 5.** In Colorado Revised Statutes, **add** 23-1-134 as
2 follows:

3 **23-1-134. Department directive - postsecondary education and**
4 **training program comparative tool - definitions - legislative**
5 **declaration - repeal.** (1) THE GENERAL ASSEMBLY FINDS AND DECLARES

6 THAT STUDENTS AND THEIR FAMILIES EVALUATING WHETHER TO ENROLL
7 IN OR FINANCE A POSTSECONDARY EDUCATION AND TRAINING PROGRAM
8 SHOULD HAVE EASY ACCESS TO INFORMATION RELEVANT TO MAKING
9 INFORMED DECISIONS REGARDING THESE PROGRAMS. THEREFORE, THE
10 GENERAL ASSEMBLY DECLARES THAT IT IS BENEFICIAL TO COLLECT
11 INFORMATION FROM POSTSECONDARY EDUCATION AND TRAINING
12 PROGRAMS OPERATING IN COLORADO AND TO USE THE INFORMATION TO
13 POPULATE A FREE, ONLINE COMPARATIVE TOOL FOR COLORADANS TO
14 ENSURE TRANSPARENCY IN POSTSECONDARY EDUCATION AND TRAINING
15 OPTIONS. IT IS THE INTENT OF THE GENERAL ASSEMBLY THAT
16 COMPARATIVE INFORMATION RELATING TO POSTSECONDARY EDUCATION
17 AND TRAINING PROGRAMS ALIGNS WITH THE TYPE OF INFORMATION
18 COLLECTED FROM AND PROVIDED BY STATE INSTITUTIONS OF HIGHER
19 EDUCATION.

20 (2) AS USED IN THIS SECTION, UNLESS THE CONTEXT OTHERWISE
21 REQUIRES:

22 (a) "COMPARATIVE TOOL" MEANS INFORMATION COLLECTED
23 PURSUANT TO THIS SECTION AND MADE AVAILABLE AS A FREE, PUBLIC,
24 ONLINE RESOURCE.

25 (b) "POSTSECONDARY EDUCATION AND TRAINING PROGRAM"
26 MEANS A PROGRAM OF A PRIVATE OCCUPATIONAL SCHOOL AUTHORIZED BY
27 THE PRIVATE OCCUPATIONAL SCHOOL DIVISION PURSUANT TO THE

1 PROVISIONS OF ARTICLE 59 OF TITLE 12.

2 (3) (a) NO LATER THAN JULY 1, 2018, THE DEPARTMENT SHALL
3 ENSURE THAT INFORMATION COLLECTED PURSUANT TO THIS SECTION AND
4 ARTICLE 59 OF TITLE 12 IS USED TO POPULATE THE COMPARATIVE TOOL
5 PURSUANT TO THE PROVISIONS OF THIS SECTION SO THAT PROSPECTIVE
6 STUDENTS AND THEIR FAMILIES, PROGRAM ADMINISTRATORS,
7 POLICYMAKERS, AND THE GENERAL PUBLIC HAVE ACCESS TO
8 COMPARATIVE INFORMATION TO ASSIST THEM IN MAKING INFORMED
9 DECISIONS CONCERNING POSTSECONDARY EDUCATION AND TRAINING
10 PROGRAMS OPERATING IN COLORADO.

11 (b) IT IS THE INTENT OF THE GENERAL ASSEMBLY THAT THE
12 COMPARATIVE INFORMATION FOR POSTSECONDARY EDUCATION AND
13 TRAINING PROGRAMS DESCRIBED IN THIS SECTION BE INCLUDED IN A
14 SINGLE ONLINE RESOURCE THAT ALSO INCLUDES INFORMATION FROM
15 STATE INSTITUTIONS OF HIGHER EDUCATION AND TRAINING AND
16 APPRENTICESHIP PROGRAMS.

17 (c) (I) THE DEPARTMENT SHALL REPORT TO THE GENERAL
18 ASSEMBLY CONCERNING THE IMPLEMENTATION OF THIS SECTION AT THE
19 DEPARTMENT'S ANNUAL PRESENTATION PURSUANT TO SECTION 2-7-203,
20 MADE DURING THE INTERIM BEFORE THE START OF BOTH THE 2018 AND
21 2019 REGULAR LEGISLATIVE SESSIONS. IF THE INFORMATION COLLECTED
22 PURSUANT TO THIS SECTION IS NOT INCLUDED IN A SINGLE ONLINE
23 RESOURCE THAT INCLUDES INFORMATION FROM STATE INSTITUTIONS OF
24 HIGHER EDUCATION AND TRAINING AND APPRENTICESHIP PROGRAMS AS
25 INTENDED PURSUANT TO SUBSECTION (3)(b) OF THIS SECTION, THE
26 DEPARTMENT SHALL EXPLAIN WHY THE COMPARATIVE TOOL WAS NOT
27 IMPLEMENTED IN THAT MANNER.

1 (II) THIS SUBSECTION (3)(c) IS REPEALED, EFFECTIVE JULY 1, 2019.

2 (4) THE POSTSECONDARY EDUCATION AND TRAINING PROGRAM
3 COMPARATIVE TOOL MUST INCLUDE, TO THE EXTENT POSSIBLE:

4 (a) INFORMATION RELATED TO SELECTING A CAREER, INCLUDING
5 JOBS THAT WILL BE IN DEMAND OVER THE NEXT TEN YEARS AND THE
6 EDUCATION AND TRAINING REQUIRED FOR THOSE JOBS; AND

7 (b) FOR EACH POSTSECONDARY EDUCATION AND TRAINING
8 PROGRAM OF STUDY, INFORMATION INCLUDING, AT A MINIMUM, PROGRAM
9 COSTS, PROGRAM COMPLETION AND PROGRAM CREDENTIAL ATTAINMENT
10 RATES, AGGREGATE EMPLOYMENT AND EARNINGS INFORMATION OF
11 FORMER STUDENTS BASED ON DATA MATCHING WITH WAGE RECORDS AND
12 AGGREGATE INFORMATION ABOUT STUDENT LOAN DEBT, AND ADDITIONAL
13 INFORMATION AS DETERMINED BY THE DEPARTMENT.

14 (5) THE DEPARTMENT MAY USE THE INFORMATION COLLECTED
15 PURSUANT TO THIS SECTION INTERNALLY OR FOR OTHER PURPOSES
16 CONSISTENT WITH THE PURPOSES OF THIS SECTION.

17 **SECTION 6. Act subject to petition - effective date.** (1) Except
18 as provided in subsection (2), this act takes effect at 12:01 a.m. on the day
19 following the expiration of the ninety-day period after final adjournment
20 of the general assembly (August 9, 2017, if adjournment sine die is on
21 May 10, 2017); except that, if a referendum petition is filed pursuant to
22 section 1 (3) of article V of the state constitution against this act or an
23 item, section, or part of this act within such period, then the act, item,
24 section, or part will not take effect unless approved by the people at the
25 general election to be held in November 2018 and, in such case, will take
26 effect on the date of the official declaration of the vote thereon by the

1 governor.

2 (2) Sections 3 and 4 of this act take effect January 1, 2018.