

CHAPTER 244

EDUCATION - PUBLIC SCHOOLS

SENATE BILL 19-176

BY SENATOR(S) Lundeen and Bridges, Cooke, Court, Crowder, Danielson, Fenberg, Fields, Foote, Gardner, Ginal, Gonzales, Hill, Hisey, Holbert, Lee, Marble, Moreno, Pettersen, Priola, Rankin, Scott, Smallwood, Sonnenberg, Story, Tate, Todd, Williams A., Winter, Woodward, Garcia;
also REPRESENTATIVE(S) McCluskie and Geitner, Baisley, Bird, Buckner, Buentello, Caraveo, Carver, Duran, Esgar, Garnett, Gray, Hansen, Herod, Hooton, Humphrey, Jackson, Kennedy, Kipp, Landgraf, Liston, Lontine, McLachlan, Michaelson Jenet, Ransom, Roberts, Sirota, Snyder, Soper, Tipper, Valdez A., Valdez D., Van Winkle, Will, Williams D., Wilson, Becker.

AN ACT

CONCERNING MEASURES TO EXPAND OPPORTUNITIES FOR STUDENTS TO EARN POSTSECONDARY COURSE CREDIT WHILE ENROLLED IN HIGH SCHOOL, 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, 22-35-103, **amend** (6); and **add** (17) as follows:

22-35-103. Definitions. As used in this article 35, unless the context otherwise requires:

(6) (a) "Concurrent enrollment" means the simultaneous enrollment of a qualified student in a local education provider and in one or more postsecondary courses, including academic or career and technical education courses, which may include course work related to apprenticeship programs or internship programs, at an institution of higher education pursuant to the provisions of this ~~article~~ ARTICLE 35, AT NO TUITION COST TO THE QUALIFIED STUDENT OR THE QUALIFIED STUDENT'S PARENT OR LEGAL GUARDIAN, EXCEPT AS PROVIDED IN SECTION 22-35-105 (4)(c). AS PROVIDED IN SECTION 22-35-104 (5) AND (6)(b)(II), UPON SUCCESSFULLY COMPLETING A CONCURRENT ENROLLMENT POSTSECONDARY COURSE, THE QUALIFIED STUDENT MUST RECEIVE CREDIT THAT APPLIES TO COMPLETION OF HIGH SCHOOL GRADUATION REQUIREMENTS AND POSTSECONDARY CREDIT THAT APPLIES TOWARD COMPLETION OF DEVELOPMENTAL EDUCATION COURSES, APPLIES TOWARD EARNING A CERTIFICATE OR DEGREE AWARDED THROUGH AN APPROVED

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.

POSTSECONDARY CAREER AND TECHNICAL EDUCATION PROGRAM, IS APPROVED BY THE DEPARTMENT OF HIGHER EDUCATION FOR TRANSFER FROM A TWO-YEAR INSTITUTION TO A FOUR-YEAR INSTITUTION IN SATISFACTION OF PREREQUISITE COURSES FOR A SPECIFIC MAJOR, IS APPROVED FOR STATEWIDE TRANSFER PURSUANT TO SECTION 23-1-125 OR IS PART OF A STATEWIDE DEGREE TRANSFER AGREEMENT PURSUANT TO SECTION 23-1-108 (7)(a).

(b) "Concurrent enrollment" does not include a student's simultaneous enrollment in:

(I) A local education provider and in one or more secondary career and technical education courses, ADVANCED PLACEMENT COURSES, OR INTERNATIONAL BACCALAUREATE COURSES;

(II) AN EARLY COLLEGE AND A POSTSECONDARY COURSE, WHICH ENROLLMENT IS NOT SUBJECT TO THE PROVISIONS OF THIS ARTICLE 35;

(III) A P-TECH SCHOOL, AS DEFINED IN SECTION 22-35.3-102, AND A POSTSECONDARY COURSE, WHICH ENROLLMENT IS SUBJECT TO THE PROVISIONS OF ARTICLE 35.3 OF THIS TITLE 22; OR

(IV) A LOCAL EDUCATION PROVIDER AND A POSTSECONDARY COURSE THAT DOES NOT MEET THE REQUIREMENTS SPECIFIED IN SUBSECTION (6)(a) OF THIS SECTION.

(17) "STUDENT GROUP" HAS THE SAME MEANING AS PROVIDED IN SECTION 22-11-103.

SECTION 2. In Colorado Revised Statutes, 22-35-104, **amend** (1)(a), (1)(b), (6)(b)(I), and (6)(b)(II); and **add** (6)(b)(IV.5), (8)(d), and (15) as follows:

22-35-104. Enrollment in an institution of higher education - cooperative agreement. (1) (a) (I) BEGINNING IN THE 2020-21 SCHOOL YEAR AND IN EACH SCHOOL YEAR THEREAFTER, EACH LOCAL EDUCATION PROVIDER THAT ENROLLS STUDENTS IN GRADES NINE THROUGH TWELVE SHALL PROVIDE QUALIFIED STUDENTS THE OPPORTUNITY TO CONCURRENTLY ENROLL IN POSTSECONDARY COURSES, INCLUDING ACADEMIC COURSES AND CAREER AND TECHNICAL EDUCATION COURSES, WHICH MAY INCLUDE COURSE WORK RELATED TO APPRENTICESHIP PROGRAMS OR INTERNSHIP PROGRAMS, AS PROVIDED IN THIS ARTICLE 35. THE LOCAL EDUCATION PROVIDER MAY DETERMINE THE MANNER IN WHICH CONCURRENT ENROLLMENT OPPORTUNITIES ARE PROVIDED.

(II) A qualified student enrolled in a high school of a school district who ~~has applied to and received~~ APPLIES TO AND RECEIVES approval from the superintendent of the school district or ~~his or her~~ THE SUPERINTENDENT'S designee, or a qualified student enrolled in a district charter school, an institute charter school, or a high school of a BOCES who ~~has applied to and received~~ APPLIES TO AND RECEIVES approval from the chief administrator of the district charter school, an institute charter school, or a high school of a BOCES, pursuant to subsection (2) of this section may register with and concurrently enroll in an institution of higher education in accordance with the provisions of this ~~article~~ ARTICLE 35. A SUPERINTENDENT, THE SUPERINTENDENT'S DESIGNEE, OR THE CHIEF ADMINISTRATOR

OF A SCHOOL SHALL NOT UNREASONABLY DENY A QUALIFIED STUDENT APPROVAL TO CONCURRENTLY ENROLL IN POSTSECONDARY COURSES PURSUANT TO THIS ARTICLE 35. A LOCAL EDUCATION PROVIDER MAY EXPAND ITS ABILITY TO PROVIDE ACCESS TO CONCURRENT ENROLLMENT OPPORTUNITIES AS PROVIDED IN SECTION 23-1-109 (6).

(III) EXCEPT AS DESCRIBED IN SUBSECTIONS (1)(c) AND (1)(d) OF THIS SECTION AND SECTIONS 22-35-108 AND 22-35-109, A LOCAL EDUCATION PROVIDER SHALL NOT LIMIT THE NUMBER OF POSTSECONDARY COURSES, INCLUDING ACADEMIC COURSES AND CAREER AND TECHNICAL EDUCATION COURSES, WHICH MAY INCLUDE COURSE WORK RELATED TO APPRENTICESHIP PROGRAMS OR INTERNSHIP PROGRAMS, IN WHICH A QUALIFIED STUDENT MAY CONCURRENTLY ENROLL DURING THE NINTH, TENTH, ELEVENTH, OR TWELFTH GRADE, EXCEPT TO THE DEGREE THAT THE LOCAL EDUCATION PROVIDER IS UNABLE TO PROVIDE ACCESS TO THE POSTSECONDARY COURSES DUE TO TECHNOLOGICAL CAPACITY.

(b)(I) Each local education provider shall annually notify all students and parents or legal guardians of students enrolled in the local education provider of the opportunity for concurrent enrollment by qualified students in postsecondary courses, including academic courses and career and technical education courses, including course work related to apprenticeship programs and internship programs. The notice provided pursuant to this subsection (1)(b)(I) must include the local education provider's timelines affecting student eligibility for concurrent enrollment courses and a statement informing students that they may significantly reduce their college expenses, increase the likelihood that they will complete college, and earn marketable workforce skills by taking concurrent enrollment courses. IN PROVIDING NOTICE OF CONCURRENT ENROLLMENT OPPORTUNITIES, A LOCAL EDUCATION PROVIDER AND AN INSTITUTION OF HIGHER EDUCATION SHALL NOT REFER TO ENROLLMENT IN A PROGRAM OR COURSE AS CONCURRENT ENROLLMENT IF THE PROGRAM OR COURSE DOES NOT MEET THE DEFINITION OF CONCURRENT ENROLLMENT OR IF THE CONDITIONS OF ENROLLMENT DO NOT MEET THE REQUIREMENTS SPECIFIED IN THIS SECTION.

(II) At least six weeks prior to the beginning of the enrollment period for postsecondary concurrent enrollment courses, the local education provider shall provide to each student and the ~~parents~~ PARENT or legal guardian of the student written notice, which notice may be sent electronically, of all postsecondary courses offered ~~at a~~ FOR CONCURRENT ENROLLMENT AT NO TUITION COST TO THE QUALIFIED STUDENT OR THE QUALIFIED STUDENT'S PARENT OR LEGAL GUARDIAN AT THE local education provider's facility, ~~and the cost to the student of each course, as well as options for enrolling in~~ CONCURRENT ENROLLMENT courses AT NO TUITION COST TO THE QUALIFIED STUDENT OR THE QUALIFIED STUDENT'S PARENT OR LEGAL GUARDIAN at an institution of higher education's facility, ~~and the ANY ANTICIPATED cost to the~~ QUALIFIED student ~~of~~ FOR FEES OR BOOKS FOR those courses, ~~This subsection (1)(b)(II) applies to all postsecondary courses available to the student regardless of whether the courses meet the requirements of this section~~ AND THE NUMBER AND TRANSFERABILITY OF COURSE CREDITS THAT A QUALIFIED STUDENT MAY EARN BY ENROLLING IN THE CONCURRENT ENROLLMENT COURSES.

(III) At the time of enrollment, each local education provider shall notify the QUALIFIED student and the QUALIFIED STUDENT'S parent or legal guardian ~~of the~~

~~student if the postsecondary course in which the student is enrolling including a postsecondary course offered as part of a program of off-campus instruction pursuant to section 23-1-109, does not meet the requirements of this section~~ OF THE NUMBER AND TRANSFERABILITY OF THE POSTSECONDARY CREDITS THE QUALIFIED STUDENT MAY EARN BY COMPLETING THE CONCURRENT ENROLLMENT COURSE, INCLUDING WHETHER THE CREDITS APPLY TOWARD COMPLETION OF DEVELOPMENTAL EDUCATION COURSES, WHETHER THE CREDITS APPLY TO ONE OR MORE APPROVED POSTSECONDARY CAREER AND TECHNICAL EDUCATION PROGRAMS, WHETHER THE CREDITS ARE APPROVED BY THE DEPARTMENT OF HIGHER EDUCATION FOR TRANSFER FROM A TWO-YEAR INSTITUTION TO A FOUR-YEAR INSTITUTION IN SATISFACTION OF PREREQUISITE COURSES FOR A SPECIFIC MAJOR, WHETHER THE CREDITS ARE APPROVED FOR STATEWIDE TRANSFER PURSUANT TO SECTION 23-1-125, AND WHETHER THE CREDITS ARE PART OF A STATEWIDE DEGREE TRANSFER AGREEMENT PURSUANT TO SECTION 23-1-108 (7)(a).

(IV) The notice DESCRIBED IN SUBSECTION (1)(b)(III) OF THIS SECTION must include information about other postsecondary courses available to the QUALIFIED student ~~pursuant to this section~~ THROUGH CONCURRENT ENROLLMENT at low or no cost to the QUALIFIED student, that are credit-bearing and applicable toward earning a degree or certificate at ~~an~~ THE institution of higher education OFFERING THE COURSE or at ~~any~~ ANOTHER institution of higher education if the course is approved for statewide transfer pursuant to section 23-1-125. ~~The institution of higher education offering the postsecondary course shall inform the local education provider as to whether the postsecondary course meets the requirements of this section.~~

(V) THE INSTITUTION OF HIGHER EDUCATION THAT OFFERS A POSTSECONDARY COURSE THROUGH CONCURRENT ENROLLMENT SHALL INFORM THE LOCAL EDUCATION PROVIDER AS TO THE NUMBER AND TRANSFERABILITY OF THE COURSE CREDITS AND ANY ANTICIPATED COSTS FOR FEES OR BOOKS FOR THE COURSE.

(6) (b) A cooperative agreement must include, but need not be limited to:

(I) The amount AND TRANSFERABILITY of academic credit to be granted for course work successfully completed by a qualified student concurrently enrolled in the institution of higher education;

(II) A requirement that course work completed by a qualified student through concurrent enrollment at the institution of higher education qualify as basic skills credit or academic credit ~~applicable toward earning a degree or certificate at the institution~~ THAT APPLIES TOWARD COMPLETION OF DEVELOPMENTAL EDUCATION COURSES, TOWARD EARNING A CERTIFICATE OR DEGREE AWARDED THROUGH AN APPROVED POSTSECONDARY CAREER AND TECHNICAL EDUCATION PROGRAM, IS APPROVED BY THE DEPARTMENT OF HIGHER EDUCATION FOR TRANSFER FROM A TWO-YEAR INSTITUTION TO A FOUR-YEAR INSTITUTION IN SATISFACTION OF PREREQUISITE COURSES FOR A SPECIFIC MAJOR, IS APPROVED FOR STATEWIDE TRANSFER PURSUANT TO SECTION 23-1-125 OR IS PART OF A STATEWIDE DEGREE TRANSFER AGREEMENT PURSUANT TO SECTION 23-1-108 (7)(a);

(IV.5) PROVISIONS PURSUANT TO WHICH THE LOCAL EDUCATION PROVIDER AND THE INSTITUTION OF HIGHER EDUCATION MAY SHARE STUDENT CONTACT AND

ACADEMIC INFORMATION TO FACILITATE THE QUALIFIED STUDENT'S CONCURRENT ENROLLMENT AND THE RECORDING OF THE QUALIFIED STUDENT'S ACADEMIC PERFORMANCE IN THE CONCURRENT ENROLLMENT COURSE;

(8) (d) THE AUTHORIZING SCHOOL DISTRICT OF A DISTRICT CHARTER SCHOOL SHALL NOT PROHIBIT THE DISTRICT CHARTER SCHOOL FROM ALLOWING QUALIFIED STUDENTS OF THE DISTRICT CHARTER SCHOOL TO CONCURRENTLY ENROLL, SUBJECT TO THE APPROVAL OF THE SUPERINTENDENT OR HIS OR HER DESIGNEE AS PROVIDED IN SUBSECTION (8)(b)(II) OF THIS SECTION, PURSUANT TO THE PROVISIONS OF A COOPERATIVE AGREEMENT THAT IS ENTERED INTO BY THE SCHOOL DISTRICT AND AN INSTITUTION OF HIGHER EDUCATION.

(15) A LOCAL EDUCATION PROVIDER THAT OFFERS COURSES FOR CONCURRENT ENROLLMENT THAT ARE TAUGHT BY EMPLOYEES OF THE LOCAL EDUCATION PROVIDER MAY CONTRACT WITH ANOTHER LOCAL EDUCATION PROVIDER TO ALLOW QUALIFIED STUDENTS ENROLLED BY THE CONTRACTING LOCAL EDUCATION PROVIDER TO PARTICIPATE IN THE CONCURRENT ENROLLMENT COURSES.

SECTION 3. In Colorado Revised Statutes, 22-35-105, **repeal** (3)(b) as follows:

22-35-105. Financial provisions - payment of tuition. (3) (b) ~~Nothing in this subsection (3) shall be interpreted to prohibit an institution of higher education from charging tuition or associated fees to a qualified student or his or her parent or legal guardian in addition to the tuition paid by the student's local education provider to the institution pursuant to paragraph (a) of this subsection (3).~~

SECTION 4. In Colorado Revised Statutes, 22-35-110, **amend** (1) as follows:

22-35-110. Exclusions. (1) The provisions of this ~~article~~ ARTICLE 35 shall not apply to any course that is offered as part of a program of off-campus instruction established pursuant to ~~section 23-1-109, C.R.S.~~ SECTION 23-1-109 (1) TO (5).

SECTION 5. In Colorado Revised Statutes, 22-35-111, **add** (2) as follows:

22-35-111. Rules. (2) BY JULY 1, 2020, THE STATE BOARD SHALL ADOPT RULES TO SPECIFY THE NUMBER OF POSTSECONDARY CREDITS IN WHICH A QUALIFIED STUDENT MUST BE CONCURRENTLY ENROLLED TO QUALIFY FOR FULL-TIME MEMBERSHIP FOR PURPOSES OF THE "PUBLIC SCHOOL FINANCE ACT OF 1994", ARTICLE 54 OF THIS TITLE 22.

SECTION 6. In Colorado Revised Statutes, **add** 22-35-113 and 22-35-114 as follows:

22-35-113. Concurrent enrollment - website. (1) BY JULY 1, 2020, THE DEPARTMENT OF EDUCATION AND THE DEPARTMENT OF HIGHER EDUCATION, WITH ADVICE FROM THE STATE BOARD, SHALL MAKE AVAILABLE TO THE PUBLIC A CONCURRENT ENROLLMENT WEBSITE TO PROVIDE INFORMATION TO STUDENTS, PARENTS, AND LEGAL GUARDIANS CONCERNING CONCURRENT ENROLLMENT OPTIONS AND REQUIREMENTS. THE DEPARTMENTS MUST ENSURE THAT THE WEBSITE IS CLEAR, EASY TO NAVIGATE, AND GENERALLY USER-FRIENDLY. IN ADDITION, THE WEBSITE MUST AT A MINIMUM:

(a) CLEARLY EXPLAIN, DIFFERENTIATE, COMPARE, AND CONTRAST CONCURRENT ENROLLMENT; DUAL ENROLLMENT PROGRAMS; EARLY COLLEGE; THE ASCENT PROGRAM; P-TECH HIGH SCHOOLS, AS DEFINED IN SECTION 22-35.3-102; INTERNATIONAL BACCALAUREATE PROGRAMS; AND ADVANCED PLACEMENT COURSES;

(b) EXPLAIN AND DIFFERENTIATE THE CHALLENGES, BENEFITS, AND COSTS OF PARTICIPATING IN THE PROGRAMS LISTED IN SUBSECTION (1)(a) OF THIS SECTION;

(c) PROVIDE INFORMATION CONCERNING CONCURRENT ENROLLMENT IN COURSE WORK RELATED TO APPRENTICESHIP PROGRAMS OR INTERNSHIP PROGRAMS, INCLUDING THE POSTSECONDARY CREDIT AVAILABLE FOR COMPLETING THE COURSE WORK;

(d) PROVIDE INFORMATION CONCERNING THE ELIGIBILITY REQUIREMENTS AND THE GENERAL PROCEDURE TO APPLY TO PARTICIPATE IN CONCURRENT ENROLLMENT AND, WHERE AVAILABLE, LINKS TO INFORMATION ON LOCAL EDUCATION PROVIDER WEBSITES CONCERNING PARTICIPATION IN CONCURRENT ENROLLMENT;

(e) PROVIDE INFORMATION CONCERNING CONCURRENTLY ENROLLING IN POSTSECONDARY COURSES AS ONLINE OR BLENDED LEARNING COURSES, INCLUDING THE POSTSECONDARY COURSES AVAILABLE THROUGH THE STATEWIDE SUPPLEMENTAL ONLINE AND BLENDED LEARNING PROGRAM DESCRIBED IN SECTION 22-5-119;

(f) PROVIDE INFORMATION CONCERNING THE PAYMENT OF THE COSTS OF CONCURRENT ENROLLMENT, INCLUDING TUITION, WHICH IS NOT CHARGEABLE TO THE STUDENT OR THE STUDENT'S PARENT OR LEGAL GUARDIAN EXCEPT AS PROVIDED IN SECTION 22-35-105 (4)(c), FEES AND BOOKS, WHICH MAY BE CHARGEABLE TO THE STUDENT OR THE STUDENT'S PARENT OR LEGAL GUARDIAN, AND TRANSPORTATION;

(g) EXPLAIN THE TRANSFERABILITY OF POSTSECONDARY CREDITS EARNED THROUGH CONCURRENT ENROLLMENT, INCLUDING ANY LIMITS ON TRANSFERRING THE CREDITS;

(h) PROVIDE INFORMATION CONCERNING THE COSTS OF ENROLLING IN POSTSECONDARY EDUCATION, INCLUDING CAREER AND TECHNICAL EDUCATION COURSES AND CERTIFICATE PROGRAMS, FOLLOWING HIGH SCHOOL GRADUATION;

(i) PROVIDE A LINK TO INFORMATION PROVIDED BY THE COLORADO WORKFORCE DEVELOPMENT COUNCIL CONCERNING APPRENTICESHIP PROGRAMS, INTERNSHIP PROGRAMS, AND THE ANNUAL COLORADO TALENT REPORT PRODUCED PURSUANT TO SECTION 24-46.3-103; AND

(j) PROVIDE A LINK TO INFORMATION CONCERNING AVERAGE WAGES FOR GRADUATES FROM DIFFERENT PROGRAMS AT DIFFERENT INSTITUTIONS OF HIGHER EDUCATION.

22-35-114. Concurrent enrollment expansion and innovation grant program - created - report - rules. (1) THERE IS CREATED IN THE DEPARTMENT THE CONCURRENT ENROLLMENT EXPANSION AND INNOVATION GRANT PROGRAM TO

PROVIDE GRANTS, SUBJECT TO AVAILABLE APPROPRIATIONS, TO PARTNERING LOCAL EDUCATION PROVIDERS AND INSTITUTIONS OF HIGHER EDUCATION, REFERRED TO IN THIS SECTION AS A "PARTNERSHIP", THAT SEEK TO BEGIN OFFERING, OR TO EXPAND THEIR CAPACITY TO OFFER, CONCURRENT ENROLLMENT OPPORTUNITIES TO QUALIFIED STUDENTS. A SINGLE PARTNERSHIP MAY INCLUDE MULTIPLE LOCAL EDUCATION PROVIDERS AND MULTIPLE INSTITUTIONS OF HIGHER EDUCATION. A PARTNERSHIP THAT SEEKS A GRANT MUST SUBMIT AN APPLICATION TO THE DEPARTMENT IN ACCORDANCE WITH RULES OF THE STATE BOARD. THE APPLICATION MUST INCLUDE:

(a) THE NUMBER OF QUALIFIED STUDENTS, IN TOTAL AND DISAGGREGATED BY STUDENT GROUP, PARTICIPATING IN CONCURRENT ENROLLMENT IN EACH OF THE PRECEDING FIVE SCHOOL YEARS, INCLUDING THE TYPES OF POSTSECONDARY COURSES IN WHICH QUALIFIED STUDENTS ENROLLED, INCLUDING ACADEMIC AND CAREER AND TECHNICAL EDUCATION COURSES, WHICH MAY HAVE INCLUDED COURSE WORK RELATED TO APPRENTICESHIP PROGRAMS AND INTERNSHIP PROGRAMS; THE NUMBER OF POSTSECONDARY CREDITS EARNED; AND WHETHER THE POSTSECONDARY CREDITS WERE GENERALLY TRANSFERABLE TO INSTITUTIONS OF HIGHER EDUCATION THROUGHOUT THE STATE;

(b) THE NUMBER OF QUALIFIED STUDENTS, IN TOTAL AND DISAGGREGATED BY STUDENT GROUP, WHO APPLIED FOR CONCURRENT ENROLLMENT IN EACH OF THE PRECEDING FIVE SCHOOL YEARS BUT WERE DENIED AND THE REASONS FOR THE DENIALS;

(c) THE FINANCIAL TERMS OF THE COOPERATIVE AGREEMENT BETWEEN THE MEMBERS OF THE PARTNERSHIP;

(d) THE MANNER IN WHICH THE LOCAL EDUCATION PROVIDER AND THE PARTNERING INSTITUTION OF HIGHER EDUCATION PUBLICIZE THE AVAILABILITY OF CONCURRENT ENROLLMENT TO ITS STUDENTS AND THE AMOUNT OF COUNSELING PROVIDED TO STUDENTS AND THEIR PARENTS OR LEGAL GUARDIANS CONCERNING THE COSTS AND BENEFITS OF CONCURRENT ENROLLMENT AND THE TRANSFERABILITY OF CREDITS OBTAINED THROUGH CONCURRENT ENROLLMENT;

(e) A DESCRIPTION OF THE MANNER IN WHICH THE PARTNERSHIP PLANS TO USE THE GRANT MONEY TO EXPAND THE NUMBER OF QUALIFIED STUDENTS CONCURRENTLY ENROLLED IN POSTSECONDARY COURSES, WHICH MAY INCLUDE:

(I) ASSISTING ONE OR MORE TEACHERS WITH THE COST OF OBTAINING A GRADUATE DEGREE IN A SPECIFIC SUBJECT SO THAT THE TEACHER MAY BE CERTIFIED TO TEACH A POSTSECONDARY COURSE AT A HIGH SCHOOL;

(II) REMOVING BARRIERS TO CONCURRENT ENROLLMENT FOR QUALIFIED STUDENTS, WHICH MAY INCLUDE PAYING THE COSTS OF BOOKS, SUPPLIES, FEES, OR TRANSPORTATION;

(III) SHARING DATA BETWEEN THE MEMBERS OF THE PARTNERSHIP, WHICH MAY INCLUDE PURCHASING TECHNOLOGY SOFTWARE AND EQUIPMENT TO ASSIST IN THE STUDENT ENROLLMENT PROCESS; AND

(IV) PROVIDING SERVICES, SUPPORT, AND COORDINATION RESOURCES FOR CONCURRENT ENROLLMENT FOR EITHER OR BOTH MEMBERS OF THE PARTNERSHIP; AND

(f) ANY ADDITIONAL INFORMATION REQUIRED BY RULE OF THE STATE BOARD, INCLUDING INFORMATION THAT DEMONSTRATES THE APPLICANT'S NEED FOR FINANCIAL SUPPORT FOR CONCURRENT ENROLLMENT AND THE LIKELIHOOD THAT THE APPLICANT'S USE OF THE GRANT WILL INCREASE THE PARTICIPATION OF LOW-INCOME OR FIRST-GENERATION QUALIFIED STUDENTS IN CONCURRENT ENROLLMENT.

(2) THE DEPARTMENT OF EDUCATION IN COORDINATION WITH THE DEPARTMENT OF HIGHER EDUCATION SHALL REVIEW EACH GRANT APPLICATION RECEIVED AND RECOMMEND TO THE STATE BOARD APPLICANTS THAT MAY RECEIVE GRANTS AND THE RECOMMENDED AMOUNT OF EACH GRANT. BEGINNING IN THE 2019-20 SCHOOL YEAR, SUBJECT TO AVAILABLE APPROPRIATIONS, THE STATE BOARD, TAKING INTO CONSIDERATION THE RECOMMENDATIONS OF THE DEPARTMENT OF EDUCATION AND THE DEPARTMENT OF HIGHER EDUCATION, SHALL AWARD GRANTS TO APPLYING PARTNERSHIPS PURSUANT TO THIS SECTION. IN MAKING RECOMMENDATIONS AND AWARDING GRANTS, THE DEPARTMENTS AND THE STATE BOARD SHALL AWARD GRANTS TO PARTNERSHIPS THAT:

(a) DO NOT PROVIDE CONCURRENT ENROLLMENT OR CONCURRENTLY ENROLL FEW QUALIFIED STUDENTS AT THE TIME OF APPLICATION;

(b) DEMONSTRATE THE GREATEST DEGREE OF NEED FOR FINANCIAL SUPPORT TO EXPAND CONCURRENT ENROLLMENT, INCLUDING NEED THAT MAY ARISE AS A RESULT OF A HIGHER-THAN-ANTICIPATED PARTICIPATION RATE;

(c) DEMONSTRATE THE MOST EFFECTIVE USE OF THE GRANT MONEY TO PROVIDE THE GREATEST EXPANSION OF CONCURRENT ENROLLMENT, WHICH MAY INCLUDE EXPANDING BY USING TECHNOLOGICAL STRATEGIES OR PARTNERING WITH THE STATEWIDE SUPPLEMENTAL ONLINE AND BLENDED LEARNING PROGRAM DESCRIBED IN SECTION 22-5-119 AND MUST INCLUDE EXPANDING THE PARTICIPATION OF LOW-INCOME OR FIRST-GENERATION QUALIFIED STUDENTS IN CONCURRENT ENROLLMENT;

(d) HAVE DEMONSTRATED SUCCESS IN PROVIDING CONCURRENT ENROLLMENT TO A LARGE PERCENTAGE OF THE QUALIFIED STUDENTS ENROLLED BY THE LOCAL EDUCATION PROVIDERS AND ARE SEEKING TO IMPLEMENT INNOVATIONS TO EXPAND THE NUMBER OF QUALIFIED STUDENTS CONCURRENTLY ENROLLED; OR

(e) HAVE A PLAN IN PLACE TO ENSURE THAT COURSE WORK RELATED TO APPRENTICESHIP PROGRAMS AND INTERNSHIP PROGRAMS IS ELIGIBLE TO RECEIVE TRANSFERABLE POSTSECONDARY COURSE CREDITS.

(3)(a) EACH PARTNERSHIP THAT RECEIVES A GRANT PURSUANT TO THIS SECTION SHALL REPORT TO THE DEPARTMENT OF EDUCATION AND THE DEPARTMENT OF HIGHER EDUCATION THE MANNER IN WHICH IT USES THE GRANT MONEY AND ANY OTHER INFORMATION REQUESTED BY EITHER THE DEPARTMENT OF EDUCATION OR THE DEPARTMENT OF HIGHER EDUCATION TO PREPARE THE REPORT REQUIRED IN SUBSECTION (3)(b) OF THIS SECTION.

(b) ON OR BEFORE FEBRUARY 1, 2021, AND ON OR BEFORE FEBRUARY 1 EACH YEAR THEREAFTER, THE DEPARTMENT OF EDUCATION IN COORDINATION WITH THE DEPARTMENT OF HIGHER EDUCATION SHALL PREPARE A REPORT CONCERNING IMPLEMENTATION OF THE CONCURRENT ENROLLMENT EXPANSION AND INNOVATION GRANT PROGRAM. AT A MINIMUM, THE REPORT MUST INCLUDE:

(I) THE GRANT RECIPIENTS AND THE AMOUNT OF THE GRANT AWARDED TO EACH RECIPIENT;

(II) THE MANNER IN WHICH EACH GRANT RECIPIENT USED THE GRANT MONEY RECEIVED;

(III) THE NUMBER AND DEMOGRAPHICS OF THE QUALIFIED STUDENTS CONCURRENTLY ENROLLED IN POSTSECONDARY COURSES IN THE SCHOOL YEARS BEFORE AND AFTER THE GRANT RECIPIENT RECEIVED THE GRANT;

(IV) THE NUMBER OF TEACHERS WHO RECEIVED A CREDENTIAL USING ASSISTANCE RECEIVED FROM A GRANT;

(V) THE TYPES OF POSTSECONDARY COURSES, INCLUDING CAREER AND TECHNICAL EDUCATION COURSES AND ANY COURSE WORK RELATED TO APPRENTICESHIP PROGRAMS AND INTERNSHIP PROGRAMS, IN WHICH QUALIFIED STUDENTS ENROLLED IN THE SCHOOL YEARS BEFORE AND AFTER THE GRANT RECIPIENT RECEIVED THE GRANT;

(VI) THE NUMBER AND TRANSFERABILITY OF THE POSTSECONDARY CREDITS EARNED THROUGH CONCURRENT ENROLLMENT IN THE SCHOOL YEARS BEFORE AND AFTER THE GRANT RECIPIENT RECEIVED THE GRANT;

(VII) THE HIGH SCHOOL GRADUATION RATE OF EACH LOCAL EDUCATION PROVIDER THAT PARTICIPATES IN THE GRANT PROGRAM, IN TOTAL AND DISAGGREGATED BY STUDENT GROUP;

(VIII) THE NUMBER OF STUDENTS WHO PARTICIPATED IN CONCURRENT ENROLLMENT WHO COMPLETED AN ASSOCIATE DEGREE OR A CERTIFICATE FROM AN APPROVED CAREER AND TECHNICAL EDUCATION PROGRAM, IN TOTAL AND DISAGGREGATED BY STUDENT GROUP; AND

(IX) THE NUMBER OF QUALIFIED STUDENTS WHO PARTICIPATED IN CONCURRENT ENROLLMENT AND MATRICULATED TO A TWO-YEAR OR FOUR-YEAR INSTITUTION, IN TOTAL AND DISAGGREGATED BY STUDENT GROUP.

(c) THE DEPARTMENT SHALL SUBMIT THE REPORT TO THE STATE BOARD, THE DEPARTMENT OF HIGHER EDUCATION, THE COMMISSION, AND THE EDUCATION COMMITTEES OF THE HOUSE OF REPRESENTATIVES AND THE SENATE, OR ANY SUCCESSOR COMMITTEES. THE DEPARTMENT SHALL ALSO POST THE REPORT ON THE CONCURRENT ENROLLMENT WEBSITE CREATED PURSUANT TO SECTION 22-35-113.

(d) NOTWITHSTANDING THE REQUIREMENT IN SECTION 24-1-136 (11)(a)(I), THE REPORT REQUIRED IN THIS SUBSECTION (3) CONTINUES INDEFINITELY.

(4) (a) THE GENERAL ASSEMBLY MAY ANNUALLY APPROPRIATE MONEY TO THE DEPARTMENT FOR GRANTS AS PROVIDED IN THIS SECTION, INCLUDING MONEY FROM THE MARIJUANA TAX CASH FUND CREATED IN SECTION 39-28.8-501 AND MONEY FROM THE STATE EDUCATION FUND CREATED IN SECTION 17 OF ARTICLE IX OF THE STATE CONSTITUTION.

(b) THE GENERAL ASSEMBLY DECLARES THAT, FOR PURPOSES OF SECTION 17 OF ARTICLE IX OF THE STATE CONSTITUTION, EXPANSION OF CONCURRENT ENROLLMENT IS AN IMPORTANT ELEMENT IN IMPLEMENTING ACCOUNTABLE EDUCATION REFORM AND MAY THEREFORE RECEIVE FUNDING FROM THE STATE EDUCATION FUND CREATED IN SECTION 17 (4) OF ARTICLE IX OF THE STATE CONSTITUTION.

(c) NOTWITHSTANDING ANY PROVISION OF THIS SECTION TO THE CONTRARY, IN A BUDGET YEAR IN WHICH THE GENERAL ASSEMBLY DOES NOT APPROPRIATE MONEY FOR GRANTS PURSUANT TO THIS SECTION, THE DEPARTMENT AND THE STATE BOARD ARE NOT REQUIRED TO IMPLEMENT THE PROVISIONS OF THIS SECTION.

SECTION 7. In Colorado Revised Statutes, 22-35-107, **amend** (2) introductory portion, (2)(c), and (3) as follows:

22-35-107. Concurrent enrollment advisory board - created - membership - duties - reports - repeal. (2) The board ~~shall consist~~ CONSISTS of the following ~~fourteen~~ members:

(c) ~~Three~~ FIVE representatives appointed by the governor, including at least one member who has experience in postsecondary student counseling, student admissions, and financial aid, ~~and~~ at least one member who has experience in public budgeting and finance, A PARENT OF A STUDENT ENROLLED IN PUBLIC SCHOOL, AND A STUDENT ENROLLED IN HIGH SCHOOL;

(3) Each appointing authority shall make its initial appointments no later than October 1, 2009. THE GOVERNOR SHALL MAKE THE INITIAL APPOINTMENT OF A PARENT AND STUDENT PURSUANT TO SUBSECTION (2)(c) OF THIS SECTION NO LATER THAN OCTOBER 1, 2019. Each member of the board ~~shall serve~~ SERVES at the pleasure of the member's appointing authority for a term of three years. The appropriate appointing authority shall fill any vacancies arising during a member's term on the board.

SECTION 8. In Colorado Revised Statutes, 22-54-103, **amend** (10)(a)(I); and **add** (10)(h) as follows:

22-54-103. Definitions. As used in this article 54, unless the context otherwise requires:

(10) (a) (I) "Pupil enrollment" means the number of pupils enrolled on the pupil enrollment count day within the applicable budget year, as evidenced by the actual attendance of such pupils prior to said date, except as otherwise provided in ~~subparagraph (II) of this paragraph (a)~~ SUBSECTIONS (10)(a)(II) AND (10)(h) OF THIS SECTION, plus the number of pupils expelled prior to the pupil enrollment count day within the applicable budget year who are receiving educational services pursuant to section 22-33-203 as of the pupil enrollment count day of the applicable budget

year.

(h) (I) FOR THE 2019-20 BUDGET YEAR AND EACH BUDGET YEAR THEREAFTER, WITH REGARD TO A PUPIL WHO IS SIMULTANEOUSLY ENROLLED IN A DISTRICT OR INSTITUTE CHARTER SCHOOL AND IN ONE OR MORE POSTSECONDARY COURSES, A DISTRICT OR INSTITUTE CHARTER SCHOOL MUST SUBMIT EVIDENCE OF:

(A) ENROLLMENT IN THE DISTRICT OR INSTITUTE CHARTER SCHOOL AND EVIDENCE, AS PROVIDED IN STATE BOARD RULE, OF ATTENDANCE FOR ANY SECONDARY COURSES THE PUPIL IS ENROLLED IN; AND

(B) ENROLLMENT IN ONE OR MORE POSTSECONDARY COURSES, BY SUBMITTING EVIDENCE, AS DESCRIBED IN STATE BOARD RULE, ONLY OF THE DISTRICT'S OR INSTITUTE CHARTER SCHOOL'S NONREFUNDABLE OBLIGATION TO PAY THE STUDENT SHARE OF TUITION FOR THE POSTSECONDARY COURSE ON BEHALF OF THE PUPIL.

(II) THE STATE BOARD BY RULE SHALL SPECIFY THE NUMBER OF SECONDARY AND POSTSECONDARY COURSE CREDIT HOURS THAT CONSTITUTE FULL-TIME AND PART-TIME MEMBERSHIP.

SECTION 9. In Colorado Revised Statutes, **add** 23-60-202.7 as follows:

23-60-202.7. Powers of board with respect to concurrent enrollment. (1) AS USED IN THIS SECTION, UNLESS THE CONTEXT OTHERWISE REQUIRES, "CONCURRENT ENROLLMENT" HAS THE SAME MEANING AS PROVIDED IN SECTION 22-35-103.

(2) THE BOARD SHALL ENSURE THAT THE COMMUNITY COLLEGE SYSTEM PROVIDES LEADERSHIP, SYSTEM-LEVEL SERVICE, AND MANAGEMENT AND COORDINATION OF EFFORTS WITHIN THE SYSTEM TO STREAMLINE POLICIES, ELIMINATE ADMINISTRATIVE BARRIERS, AND IMPLEMENT EFFORTS TO MAXIMIZE PARTICIPATION IN CONCURRENT ENROLLMENT ACROSS THE COMMUNITY COLLEGE SYSTEM. COORDINATION OF EFFORTS INCLUDES FACILITATING THE SHARING OF BEST PRACTICES AMONG INSTITUTIONS, DRIVING INNOVATION, AND BUILDING CAPACITY FOR OFFERING CONCURRENT ENROLLMENT TO MORE STUDENTS ACROSS THE STATE WITH A FOCUS ON STUDENT ACADEMIC SUCCESS.

(3) THE COMMUNITY COLLEGE SYSTEM MAY RECEIVE FUNDING FOR THE SERVICES DESCRIBED IN THIS SECTION THROUGH A LIMITED PURPOSE FEE-FOR-SERVICE CONTRACT AS PROVIDED IN SECTION 23-18-308.

SECTION 10. In Colorado Revised Statutes, 23-18-308, **amend** (1)(b) and (1)(c); and **add** (1)(f) as follows:

23-18-308. Fee-for-service contracts - limited purpose. (1) Subject to available appropriations, the department shall enter into fee-for-service contracts for the following purposes:

(b) The inclusive higher education pilot program pursuant to section 23-75-104;
~~and~~

(c) Cybersecurity and distributed ledger technologies, such as blockchains, as set

forth in sections 24-33.5-1904 and 24-33.5-1905; AND

(f) PROVIDING SERVICES TO MAXIMIZE CONCURRENT ENROLLMENT ACROSS THE COMMUNITY COLLEGE SYSTEM AS PROVIDED IN SECTION 23-60-202.7.

SECTION 11. In Colorado Revised Statutes, 23-3.3-103, **add** (7) as follows:

23-3.3-103. Annual appropriations. (7) THE PROVISIONS OF SUBSECTION (1) OF THIS SECTION CONCERNING APPROPRIATIONS FOR STUDENT FINANCIAL ASSISTANCE UNDER THIS ARTICLE DO NOT APPLY TO APPROPRIATIONS MADE PURSUANT TO SECTIONS 23-18-308 (1)(f) AND 23-60-202.7 TO THE STATE BOARD FOR COMMUNITY COLLEGES AND OCCUPATIONAL EDUCATION TO PROVIDE SERVICES TO MAXIMIZE CONCURRENT ENROLLMENT ACROSS THE COMMUNITY COLLEGE SYSTEM.

SECTION 12. In Colorado Revised Statutes, 22-35-104, **amend as amended by House Bill 19-1206** (1)(c) as follows:

22-35-104. Enrollment in an institution of higher education - cooperative agreement. (1) (c) Notwithstanding the provisions of subsection (1)(a) of this section, BEGINNING WITH THE 2022-23 SCHOOL YEAR AND FOR SCHOOL YEARS THEREAFTER, a qualified student ~~shall not~~ MAY concurrently enroll in a developmental education course ONLY IF THE STUDENT IS INCLUDED WITHIN THE ENROLLING INSTITUTION'S DEVELOPMENTAL EDUCATION ENROLLMENT LIMITATION SPECIFIED IN SECTION 23-1-113.3 (1)(a)(I). A qualified student may enroll in gateway courses in English or mathematics, as defined in section 23-1-113 (11)(b.5), with additional supports, if needed, through supplemental academic instruction, as defined in section 23-1-113 (11)(e).

SECTION 13. Appropriation. For the 2019-20 state fiscal year, \$44,916 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 0.5 FTE. To implement this act, the department may use this appropriation for college and career readiness.

SECTION 14. Appropriation. For the 2019-20 state fiscal year, \$1,500,000 is appropriated to the department of education. This appropriation is from the marijuana tax cash fund created in section 39-28.8-501 (1), C.R.S., and is based on an assumption that the department will require an additional 0.3 FTE. To implement this act, the department may use this appropriation for the concurrent enrollment expansion and innovation grant program.

SECTION 15. Appropriation. (1) For the 2019-20 state fiscal year, \$105,000 is appropriated to the department of higher education. This appropriation is from the general fund. To implement this act, the department may use this appropriation for the college opportunity fund program to be used for limited purpose fee-for-service contracts with state institutions.

(2) For the 2019-20 state fiscal year, \$105,000 is appropriated to the department of higher education. This appropriation is from reappropriated funds received from the limited purpose fee-for-service contracts with state institutions under subsection (1) of this section. To implement this act, the department may use this appropriation

for the state board for community colleges and occupational education state system community colleges. This amount is based on an assumption that the board will require an additional 1.0 FTE.

SECTION 16. 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 (August 2, 2019, if adjournment sine die is on May 3, 2019); 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 2020 and, in such case, will take effect on the date of the official declaration of the vote thereon by the governor.

Approved: May 20, 2019