

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

REENGROSSED

*This Version Includes All Amendments
Adopted in the House of Introduction*

LLS NO. 23-0208.01 Alana Rosen x2606

SENATE BILL 23-007

SENATE SPONSORSHIP

Zenzinger and Kirkmeyer, Bridges, Buckner, Coleman, Exum, Gardner, Ginal, Hansen, Moreno, Mullica, Priola, Roberts, Will

HOUSE SPONSORSHIP

Kipp and Catlin,

Senate Committees

Education
Appropriations

House Committees

A BILL FOR AN ACT

101 **CONCERNING ENHANCING ADULT EDUCATION IN COLORADO, AND, IN**
102 **CONNECTION THEREWITH, MAKING AN APPROPRIATION.**

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>.)

Current law requires adult education providers (providers) that participate in the department of education's (department) adult education and literacy grant program (program) to offer eligible adults basic education in literacy and numeracy. The bill adds "digital literacy" to the basic education offered to eligible adults.

The bill describes services that providers may offer to eligible

Shading denotes HOUSE amendment. Double underlining denotes SENATE amendment.
Capital letters or bold & italic numbers indicate new material to be added to existing law.
Dashes through the words or numbers indicate deletions from existing law.

SENATE
3rd Reading Unamended
April 12, 2023

SENATE
Amended 2nd Reading
April 11, 2023

adults. The bill amends the reporting requirements for providers of the program.

The bill allows community colleges, area technical colleges, and local district colleges (colleges) to develop minimum graduation requirements for a high school diploma based on the minimum high school graduation guidelines adopted by the state board of education. Colleges are authorized to award high school diplomas to students who successfully complete the colleges' minimum high school graduation requirements.

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

2 **SECTION 1.** In Colorado Revised Statutes, 22-10-102, **amend**
3 (1)(e), (1)(e.5), (1)(e.7), (1)(f), and (1)(g) as follows:

4 **22-10-102. Legislative declaration.** (1) The general assembly
5 finds that:

6 (e) Before Colorado can meet its workforce, educational
7 attainment, and poverty-reduction goals, the state must address the need
8 for adult education. A significant percentage of the state's working-age
9 population lacks a high school diploma or its equivalent. Many of these
10 individuals do not have basic literacy, DIGITAL LITERACY, or numeracy
11 skills and are unprepared for participation in postsecondary education and
12 for participation in the twenty-first-century workforce. Further, these
13 individuals are unprepared to provide the learning support and advocacy
14 that their own children or the children they care for require.

15 (e.5) Literacy and level of educational attainment not only impact
16 an individual's ability to gain employment at a self-sufficiency level, but
17 extensive research shows that they are also key determining factors in the
18 educational success and future employment potential of the individual's
19 children or children for whom the individual is a caregiver. A
20 two-generation approach to increasing literacy, DIGITAL LITERACY, and

1 numeracy skills is essential for the workforce of today and tomorrow and
2 for helping to break the cycle of poverty.

3 (e.7) While some adults require educational programs that will
4 improve their literacy, DIGITAL LITERACY, or numeracy skills to gain
5 higher-paying levels of employment, many adults have not completed
6 ninth grade or may otherwise be identified as lowest-level learners.
7 Before these adults can aspire to higher-level employment, they require
8 more basic educational programs that specialize in English language
9 skills and assistance in obtaining a high school DIPLOMA OR AN
10 equivalency certificate.

11 (f) Effectively addressing the need for adult education requires the
12 appropriation of state money to fund adult education and literacy
13 programs that participate in workforce development partnerships or
14 education attainment partnerships and that enable individuals to acquire
15 the basic and more advanced skills needed to function effectively as
16 parents, caregivers, employees, and citizens of the United States.
17 Although there are several postsecondary programs that focus on
18 workforce development and skills acquisition, these programs typically
19 assume that participants are or have been in the workforce in some
20 capacity and have already attained a base level of literacy, DIGITAL
21 LITERACY, and numeracy. Adult education and literacy programs,
22 however, are typically designed for adults who have been unable to enter
23 the workforce in a meaningful capacity or are limited in their ability to
24 support their children's education or participate in society due to a lack of
25 basic literacy, DIGITAL LITERACY, and numeracy skills.

26 (g) In return for state investment in adult education and literacy
27 programs, these programs must refocus their mission to ensure that more

1 low-skilled, low-income adults attain the basic literacy, DIGITAL
2 LITERACY, and numeracy skills that they lack so that they may improve
3 their own and the next generation's ability to participate in the current and
4 future in-demand sectors of employment, function effectively in
5 supporting and advocating for their children's education, and actively
6 participate in society; and

7 **SECTION 2.** In Colorado Revised Statutes, 22-10-103, **amend**
8 (1), (2.5), (3)(c)(III), and (11)(a); and **add** (2.3) as follows:

9 **22-10-103. Definitions.** As used in this article 10, unless the
10 context otherwise requires:

11 (1) "Adult education and literacy programs" means programs that
12 provide adult basic education, adult education leading to a high school
13 DIPLOMA OR AN equivalency credential, English as a second language
14 instruction, or integrated basic education, DIGITAL LITERACY, and skills
15 training.

16 (2.3) "DIGITAL LITERACY" MEANS THE SKILLS ASSOCIATED WITH
17 USING TECHNOLOGY THAT ENABLES USERS TO FIND, EVALUATE, ORGANIZE,
18 CREATE, DISSEMINATE, AND COMMUNICATE INFORMATION ONLINE.

19 (2.5) "Education attainment partnership" means a collaboration
20 that assists adults in attaining basic literacy, DIGITAL LITERACY, and
21 numeracy skills that lead to additional skill acquisition and may lead to
22 postsecondary credentials and employment. At a minimum, an education
23 attainment partnership must consist of at least one adult education
24 provider that is not listed in subsection (1.5)(a) of this section that
25 partners with at least one elementary or secondary school or school
26 district, a public or private institution of higher education, a local district
27 college, or an area technical college.

1 (3) "Eligible adult" means a person who:

2 (c) (III) Lacks sufficient mastery of the basic literacy, DIGITAL
3 LITERACY, and numeracy skills necessary to enable the person to function
4 effectively in the workplace.

5 (11) (a) "Workforce development partnership" means a
6 collaboration that assists adults in attaining basic literacy, DIGITAL
7 LITERACY, and numeracy skills leading to additional skill acquisition,
8 postsecondary credentials, and employment. At a minimum, a workforce
9 development partnership must include at least one adult education
10 provider AND at least one postsecondary education or training provider
11 ~~and at least~~ one workforce development provider.

12 **SECTION 3.** In Colorado Revised Statutes, 22-10-104, **amend**
13 (1)(a), (1)(c), (1)(d)(I), (3)(c.5), and (3)(d); and **add** (3)(e) as follows:

14 **22-10-104. Adult education and literacy grant program -**
15 **created - rules.** (1) (a) (I) There is created in the office the adult
16 education and literacy grant program to provide funding for adult
17 education providers that are members of workforce development
18 partnerships, through which eligible adults receive basic education in
19 literacy, DIGITAL LITERACY, and numeracy that leads to additional skills
20 acquisition, A HIGH SCHOOL DIPLOMA OR AN EQUIVALENCY CERTIFICATE,
21 postsecondary credential attainment, and employment; or education
22 attainment partnerships that assist adults in attaining basic literacy,
23 DIGITAL LITERACY, and numeracy skills that lead to additional skill
24 acquisition, and may lead to A HIGH SCHOOL DIPLOMA OR AN
25 EQUIVALENCY CERTIFICATE, postsecondary credentials and employment,
26 for the participating adults and their children or the children for whom
27 they provide care.

1 (II) ADULT EDUCATION AND LITERACY PROGRAMS MAY INCLUDE:

2 (A) IN-PERSON OR ONLINE INSTRUCTION;

3 (B) THE DEVELOPMENT OF DOCUMENTED LEARNING PLANS
4 DESCRIBING COURSES OR CREDITS AN ELIGIBLE ADULT NEEDS TO
5 COMPLETE AN ADULT EDUCATION AND LITERACY PROGRAM AND FULFILL
6 THE GRADUATION REQUIREMENTS OF THE PROGRAM;

7 (C) COACHING BETWEEN AN ADULT EDUCATION PROVIDER AND AN
8 ELIGIBLE ADULT RELATED TO THE STUDENT'S PACE AND PROGRESS WITH
9 THE LEARNING PLAN DESCRIBED IN SUBSECTION (1)(a)(II)(B) OF THIS
10 SECTION; AND

11 (D) MENTORSHIP BETWEEN A COACH AND AN ELIGIBLE ADULT TO
12 FACILITATE THE COMPLETION OF THE ELIGIBLE ADULT'S LEARNING PLAN
13 DESCRIBED IN SUBSECTION (1)(a)(II)(B) OF THIS SECTION TO PREPARE THE
14 STUDENT TO SUCCEED IN THE ADULT EDUCATION AND LITERACY PROGRAM
15 AND IN THE ELIGIBLE ADULT'S FUTURE ENDEAVORS.

16 (c) Subject to available appropriations, the state board, taking into
17 consideration the recommendations of the office, shall award adult
18 education and literacy grants to adult education providers. In awarding
19 grants payable from state appropriations, the state board may give
20 preference to adult education programs that serve populations that are
21 underserved by federal funding. The grants awarded are payable from
22 appropriations from the general fund and from the adult education and
23 literacy grant fund created in section 22-10-107. The state board shall
24 establish the amount and duration of each grant awarded and may award
25 a grant for multiple fiscal years, subject to annual renewal BY THE OFFICE.
26 A grant recipient that receives a multi-year grant must annually submit to
27 the office the necessary information to determine whether the grant

1 recipient is making sufficient progress toward achieving the goals of the
2 adult education and literacy program that were specified in the grant
3 application. If the office finds that a grant recipient is not making
4 sufficient progress toward achieving the goals, the ~~state board~~ OFFICE
5 shall not renew the grant for subsequent fiscal years.

6 (d) An adult education provider may use grant money received
7 pursuant to this article 10 in combination with any money received from
8 other public or private sources. An adult education provider may use
9 grant money received pursuant to this article 10 on behalf of a student
10 who:

11 (I) Lacks basic literacy, DIGITAL LITERACY, or numeracy skills;

12 (3) The office, in evaluating grant applications, and the state
13 board, in awarding grants, may consider, at a minimum, the following
14 factors:

15 (c.5) Whether the adult education provider serves eligible adults
16 who have not completed ninth grade or may otherwise be identified as
17 lowest-level learners and the adult education provider's demonstrated
18 success in serving these learners; ~~and~~

19 (d) The demonstrated success of the adult education provider in
20 enabling adults to attain basic literacy, DIGITAL LITERACY, and numeracy
21 skills and in assisting them to attain additional skills, postsecondary
22 credentials, employment, and increased capacity to support the academic
23 achievement of their own children or children for whom they provide
24 care; AND

25 (e) THE AVERAGE COST PER ELIGIBLE ADULT SERVED BY THE
26 ADULT EDUCATION PROVIDER IN ASSISTING THE ELIGIBLE ADULT IN
27 ATTAINING ADDITIONAL SKILLS, A HIGH SCHOOL DIPLOMA OR AN

1 EQUIVALENCY CERTIFICATE, POSTSECONDARY CREDENTIALS,
2 EMPLOYMENT, OR INCREASED CAPACITY TO SUPPORT THE ACADEMIC
3 ACHIEVEMENT OF THE ELIGIBLE ADULT'S OWN CHILDREN OR CHILDREN FOR
4 WHOM THE ELIGIBLE ADULT PROVIDES CARE.

5 **SECTION 4.** In Colorado Revised Statutes, 22-10-105, **amend**
6 (1)(c) and (2)(a) as follows:

7 **22-10-105. Evaluation of grants - report.** (1) (c) (I) ~~Upon~~
8 ~~completing an adult education and literacy program funded, in whole or~~
9 ~~in part, by a grant awarded pursuant to this article 10, an adult education~~
10 ~~provider shall report to the department information concerning the~~
11 ~~state-funded program that the department specifically requests from the~~
12 ~~information required by Title II of the federal "Workforce Innovation and~~
13 ~~Opportunity Act", as amended, 29 U.S.C. sec. 3101 et seq., for federally~~
14 ~~funded programs. The department may request such additional~~
15 ~~information as may be required by rule of the state board~~ THE
16 DEPARTMENT SHALL ESTABLISH REASONABLE REPORTING AND
17 DOCUMENTATION REQUIREMENTS FOR PROVIDERS. AN ADULT EDUCATION
18 PROVIDER'S ADMINISTRATIVE COSTS ASSOCIATED WITH REPORTING AND
19 DOCUMENTATION REQUIREMENTS MUST NOT EXCEED TEN PERCENT OF THE
20 AWARDED FUNDS. THE DEPARTMENT MAY REQUIRE DOCUMENTATION OF
21 REPORTED OUTCOMES ON A SAMPLE OF ELIGIBLE ADULTS SERVED BY AN
22 ADULT EDUCATION PROVIDER. AN ADULT EDUCATION PROVIDER SHALL, AT
23 A MINIMUM, REPORT TO THE DEPARTMENT ON THE FOLLOWING:

24 (A) THE NUMBER OF ELIGIBLE ADULTS ENROLLED IN AN ADULT
25 EDUCATION AND LITERACY PROGRAM;

26 (B) DEMOGRAPHIC INFORMATION OF EACH ELIGIBLE ADULT
27 ENROLLED IN AN ADULT EDUCATION AND LITERACY PROGRAM, INCLUDING

1 AGE, GENDER, RACE, ETHNICITY, NATIVE LANGUAGE, ZIP CODE, AND
2 INCOME; AND

3 (C) LITERACY SKILLS GAINED BY AN ELIGIBLE ADULT ENROLLED
4 IN AN ADULT EDUCATION AND LITERACY PROGRAM.

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6 (II) EACH ADULT EDUCATION PROVIDER SHALL REPORT DATA IN
7 COMPLIANCE WITH THE "COLORADO PRIVACY ACT", ESTABLISHED
8 PURSUANT TO PART 13 OF ARTICLE 1 OF TITLE 6; THE FEDERAL "FAMILY
9 EDUCATIONAL RIGHTS AND PRIVACY ACT OF 1974", 20 U.S.C. SEC.
10 1232g; AND THE "STUDENT DATA TRANSPARENCY AND SECURITY ACT",
11 CREATED IN ARTICLE 16 OF THIS TITLE 22.

12 (2) (a) The office shall prepare an annual report concerning the
13 grant program that, at a minimum, addresses the use, allocation, and
14 outcomes of the grant money, including the effectiveness of each program
15 that receives a grant and the continuing level of unmet need for adult
16 education within the state. In evaluating program outcomes, the office
17 may consider, but need not be limited to considering, student
18 participation, completion, educational attainment, employment, and
19 poverty-reduction data and analysis. THE OFFICE MAY USE DATA
20 MATCHING WITH RELEVANT STATE AGENCIES TO DETERMINE
21 POST-PROGRAM PARTICIPATION OUTCOMES, INCLUDING, BUT NOT LIMITED
22 TO, EMPLOYMENT OBTAINED BY AN ELIGIBLE ADULT ENROLLED IN AN
23 ADULT EDUCATION AND LITERACY PROGRAM, FUTURE ADJUSTMENTS TO
24 AN ELIGIBLE ADULT'S WAGES BASED ON THE ELIGIBLE ADULT'S
25 PARTICIPATION IN AN ADULT EDUCATION AND LITERACY PROGRAM,
26 POSTSECONDARY CREDENTIALS EARNED BY AN ELIGIBLE ADULT, AND
27 DEVELOPMENT OF GENERATIONAL SKILLS AND THE CAPACITY OF AN

1 ELIGIBLE ADULT TO SUPPORT THE ACADEMIC ACHIEVEMENTS OF THE
2 ELIGIBLE ADULT'S CHILDREN OR CHILDREN FOR WHOM THE ELIGIBLE ADULT
3 PROVIDES CARE. The report must also include an overview of the
4 collaboration efforts of the office, the department of higher education, the
5 department of labor and employment, the community college system,
6 other adult education providers, other postsecondary education or training
7 providers, and other workforce development providers in meeting the
8 state's need for adult education and literacy programs and workforce
9 development.

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11 **SECTION 5.** In Colorado Revised Statutes, **add** 23-60-111 as
12 follows:

13 **23-60-111. Community colleges - high school diplomas -**
14 **approval.** (1) A COMMUNITY COLLEGE MAY DEVELOP AND IMPLEMENT
15 MINIMUM GRADUATION REQUIREMENTS FOR A HIGH SCHOOL DIPLOMA
16 BASED ON THE HIGH SCHOOL GRADUATION REQUIREMENTS OF A SCHOOL
17 DISTRICT WITHIN THE GEOGRAPHIC AREA OF THE COMMUNITY COLLEGE.
18 THE COMMUNITY COLLEGE SHALL AWARD A HIGH SCHOOL DIPLOMA TO A
19 STUDENT WHO SUCCESSFULLY COMPLETES THE HIGH SCHOOL GRADUATION
20 REQUIREMENTS IMPLEMENTED BY THE COMMUNITY COLLEGE.

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22 (2) A SERVICE PROVIDER MAY PARTNER WITH A COMMUNITY
23 COLLEGE TO PROVIDE COURSES THAT LEAD TO A HIGH SCHOOL DIPLOMA OR
24 AN INDUSTRY-RECOGNIZED CREDENTIAL.

25 (3) AS USED IN THIS SECTION, "SERVICE PROVIDER" MEANS A
26 NONPROFIT ENTITY OR FOR-PROFIT ENTITY THAT ENTERS INTO A FORMAL,
27 NEGOTIATED CONTRACT FOR EDUCATIONAL SERVICES WITH A COMMUNITY

1 COLLEGE.

2 **SECTION 6.** In Colorado Revised Statutes, **add** 23-60-803 as
3 follows:

4 **23-60-803. Area technical colleges - high school diplomas -**
5 **approval.** (1) AN AREA TECHNICAL COLLEGE MAY DEVELOP AND
6 IMPLEMENT MINIMUM GRADUATION REQUIREMENTS FOR A HIGH SCHOOL
7 DIPLOMA BASED ON THE HIGH SCHOOL GRADUATION REQUIREMENTS OF A
8 SCHOOL DISTRICT WITHIN THE GEOGRAPHIC AREA OF THE AREA TECHNICAL
9 COLLEGE. THE AREA TECHNICAL COLLEGE SHALL AWARD A HIGH SCHOOL
10 DIPLOMA TO A STUDENT WHO SUCCESSFULLY COMPLETES THE HIGH
11 SCHOOL GRADUATION REQUIREMENTS IMPLEMENTED BY THE AREA
12 TECHNICAL COLLEGE.

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14 (2) A SERVICE PROVIDER MAY PARTNER WITH AN AREA TECHNICAL
15 COLLEGE TO PROVIDE COURSES THAT LEAD TO A HIGH SCHOOL DIPLOMA OR
16 AN INDUSTRY-RECOGNIZED CREDENTIAL.

17 (3) AS USED IN THIS SECTION, "SERVICE PROVIDER" MEANS A
18 NONPROFIT ENTITY OR FOR-PROFIT ENTITY THAT ENTERS INTO A FORMAL,
19 NEGOTIATED CONTRACT FOR EDUCATIONAL SERVICES WITH AN AREA
20 TECHNICAL COLLEGE.

21 **SECTION 7.** In Colorado Revised Statutes, **add** 23-71-135 as
22 follows:

23 **23-71-135. Local district colleges - high school diplomas -**
24 **approval.** (1) A LOCAL DISTRICT COLLEGE MAY DEVELOP AND
25 IMPLEMENT MINIMUM GRADUATION REQUIREMENTS FOR A HIGH SCHOOL
26 DIPLOMA BASED ON THE HIGH SCHOOL GRADUATION REQUIREMENTS OF A
27 SCHOOL DISTRICT WITHIN THE GEOGRAPHIC AREA OF THE LOCAL DISTRICT

1 COLLEGE. THE LOCAL DISTRICT COLLEGE SHALL AWARD A HIGH SCHOOL
2 DIPLOMA TO A STUDENT WHO SUCCESSFULLY COMPLETES THE HIGH
3 SCHOOL GRADUATION REQUIREMENTS IMPLEMENTED BY THE LOCAL
4 DISTRICT COLLEGE.

5
6 (2) A SERVICE PROVIDER MAY PARTNER WITH A LOCAL DISTRICT
7 COLLEGE TO PROVIDE COURSES THAT LEAD TO A HIGH SCHOOL DIPLOMA OR
8 AN INDUSTRY-RECOGNIZED CREDENTIAL.

9 (3) AS USED IN THIS SECTION, "SERVICE PROVIDER" MEANS A
10 NONPROFIT ENTITY OR FOR-PROFIT ENTITY THAT ENTERS INTO A FORMAL,
11 NEGOTIATED CONTRACT FOR EDUCATIONAL SERVICES WITH A LOCAL
12 DISTRICT COLLEGE.

13 **SECTION 8. Appropriation.** For the 2023-24 state fiscal year,
14 \$2,000,000 is appropriated to the department of education. This
15 appropriation is from the general fund and is based on an assumption that
16 the department will require an additional 1.8 FTE. To implement this act,
17 the department may use this appropriation for the adult education and
18 literacy grant program.

19 **SECTION 9. Safety clause.** The general assembly hereby finds,
20 determines, and declares that this act is necessary for the immediate
21 preservation of the public peace, health, or safety.