

CHAPTER 117

EDUCATION - PUBLIC SCHOOLS

SENATE BILL 23-086

BY SENATOR(S) Hansen, Bridges, Kolker, Marchman, Moreno, Rodriguez, Winter F. ;
 also REPRESENTATIVE(S) Hamrick and Soper, Amabile, Bacon, Bird, Brown, English, Froelich, Jodeh, Lieder, Lindsay,
 Lukens, McLachlan, Michaelson Jenet, Ortiz, Ricks, Sharbini, Story, Titone, Velasco, Woodrow, Young, McCluskie.

AN ACT

**CONCERNING STUDENT LEADERS INSTITUTE MODERNIZATION, AND, IN CONNECTION THEREWITH,
 MAKING AND REDUCING AN APPROPRIATION.**

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

SECTION 1. In Colorado Revised Statutes, **add with amended and relocated provisions** article 106 to title 22 as follows:

22-106-101. [Formerly 23-77-101] Legislative declaration. (1) The general assembly finds that:

(a) The state is committed to increasing the number of students who graduate from a Colorado high school, enroll in a Colorado institution of higher education, and graduate with a postsecondary credential in two to four academic years;

(b) Several states have implemented a summer residential education program for high school students who demonstrate exceptional intellectual curiosity, creativity, and maturity. While participating in the summer program, students attend classes, lectures, seminars, concerts, art exhibits, theatrical performances, and films and have the opportunity to learn independently and from distinguished faculty, staff members, and guest lecturers.

(c) The summer residential education programs implemented in other states have:

(I) Successfully developed a civic voice among the states' best students so that they graduate from high school as civic participants;

(II) Prepared motivated students to participate in a competitive workforce;

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.

(III) Helped to create young leaders who are energized to find solutions for the pressing issues facing their states; and

(IV) Motivated students to remain in their home states for their postsecondary education and careers; and

(d) A high percentage of the students who have participated in the summer residential education programs have subsequently enrolled in postsecondary education in their home states and earned a baccalaureate degree in four years.

(2) The general assembly finds, therefore, that it is in the best interests of the state to ~~establish~~ CONTINUE the Colorado student leaders institute as a pilot program using the model of summer residential education programs implemented in other states and to appropriate state money to ensure the successful operations of the institute for the benefit of Colorado high school students.

(3) The general assembly further finds that, for purposes of section 17 of article IX of the state constitution, the Colorado student leaders institute is an accountable program that assists students in meeting state academic standards and may therefore receive funding from the state education fund created in section 17 (4) of article IX of the state constitution.

22-106-102. [Formerly 23-77-102] Definitions. As used in this ~~article 77~~ ARTICLE 106, unless the context otherwise requires:

(1) ~~"Executive board" means the executive board of the Colorado student leaders institute established pursuant to section 23-77-104.~~

(2) (1) ~~"Host institution" means the institution of higher education that the department of higher education contracts with on behalf of the executive STATE board OF EDUCATION pursuant to section 23-77-104~~ SECTION 22-106-104 to operate the institute.

(3) (2) ~~"Institute" means the Colorado student leaders institute created in section 23-77-103~~ SECTION 22-106-103.

22-106-103. [Formerly 23-77-103] Colorado student leaders institute - applications. (1) There is ~~created~~ in the department of ~~higher~~ education the Colorado student leaders institute. The year-long institute shall operate a competitive residential summer academic program for students who are entering tenth or eleventh grade in the coming fall semester. The program operated by the institute must be for four weeks each summer during which time students who are accepted to the institute attend college-level classes, lectures, and seminars as well as enrichment activities, including concerts and theatrical productions. Each student who is accepted to the institute is encouraged to donate up to four hundred dollars to the institute to assist in meeting operational costs. Subject to available appropriations, up to one hundred students may annually participate in the institute.

(2) (a) The institute shall annually offer classes in at least the following two areas:

(I) Science, technology, engineering, arts, and mathematics; and

(II) International social studies.

(b) The institute shall annually provide enrichment activities for students who participate in the institute, which must include but need not be limited to activities relating to visual expression and music appreciation.

(c) In addition to participating in classes and enrichment activities, students who participate in the institute must:

(I) Complete a history research project for a competition held during the term of the institute; and

(II) Complete a public service practicum that includes a final report of findings and recommendations to the general assembly for legislative action.

(3) (a) (I) To apply to participate in the institute:

(A) A student who is enrolled in a public school that is not a charter school must be nominated by the superintendent of the school district in which the student is enrolled; and

(B) A student who is enrolled in a charter school or in a private school must be nominated by the principal of the school.

(II) A student who is participating in a nonpublic home-based educational program, as described in section 22-33-104.5, may apply without having been nominated.

(b) To apply to participate in the institute, a student must submit an application to the ~~executive board~~ HOST INSTITUTION that is in the form and meets the requirements established by the host institution. If the applying student is enrolled in a public school, the student must submit a copy of ~~his or her~~ THE STUDENT'S individual career and academic plan, as described in section 22-2-136, with the application.

(4) The host institution shall award three hours of postsecondary academic credit to each student who successfully completes the institute. The school district or high school in which each student is enrolled is encouraged to apply the academic credit hours that a student receives for completing the institute toward academic credit hours earned in civics, to apply toward the completion of the student's high school graduation requirements.

22-106-104. [Formerly 23-77-104] Colorado student leaders institute - state board of education - duties. ~~(1) An executive board appointed pursuant to subsection (2) of this section shall oversee the operations of the institute, including contracting through the department of higher education with the host institution and annually selecting students to participate in the institute.~~

~~(2) (a) The executive board consists of eleven members as follows:~~

~~(f) The governor, with the consent of the senate, shall appoint eight persons to serve as members of the executive board as follows:~~

~~(A) Two persons who are employed as educators in high schools in Colorado, one of whom is employed in a rural school district;~~

~~(B) Two persons who are employed as teaching faculty or administrators in an institution of higher education in Colorado; and~~

~~(C) Four persons from the community who have interest or experience in education; and~~

~~(H) The commissioner of education or his or her designee, the executive director of the department of higher education or his or her designee, and the chief executive officer of the host institution or his or her designee shall serve as members of the executive board.~~

~~(b) The appointed members of the executive board serve two-year terms; except that the terms shall be staggered so that no more than four members' terms expire in the same year. Members may be appointed to successive two-year terms. The appointed members of the executive board serve at the pleasure of the governor. If a vacancy arises on the executive board, the governor shall appoint a person to fill the vacancy for the remainder of the term.~~

~~(c) The members of the executive board serve without compensation and without reimbursement for expenses.~~

~~(d) In making appointments, the governor shall attempt to appoint persons who are representative of the gender and racial diversity within the state and who represent areas throughout the state.~~

~~(e) Repealed.~~

~~(3) (1) The executive STATE board OF EDUCATION WHEN OPERATING THE STUDENT LEADERS INSTITUTE has the following duties and powers:~~

~~(a) The executive board shall Oversee and direct the operations of the institute; including reviewing the student applications received, annually selecting students to participate in the institute, and annually selecting the faculty and courses for the institute, taking into account the recommendations of the host institution. In reviewing applications and selecting students to participate in the institute, the executive board shall ensure that:~~

~~(f) At least fifty percent of the students selected to attend the institute each year:~~

~~(A) 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.; or~~

~~(B) Would be the first generation in their immediate families to attend an institution of higher education;~~

~~(H) The students who are selected reside in areas throughout the state; are representative of the gender, ethnic, racial, and socioeconomic diversity of the state; and are representative of the educational program options available throughout the state; and~~

~~(HH) The students who are selected demonstrate, through their individual career and academic plans for students enrolled in public schools, a commitment to continuing in postsecondary education after high school graduation.~~

(b) (I) The department of higher education, on behalf of the executive STATE board OF EDUCATION, shall issue a request for proposals for a public or private institution of higher education to host the institute. The department working with the executive board, shall select and enter into a contract on behalf of the executive board and the institute with the public or private institution of higher education in accordance with the applicable provisions of the "Procurement Code", articles 101 to 112 of title 24 FOLLOW THE APPLICABLE PROVISIONS OF THE "PROCUREMENT CODE", ARTICLES 101 TO 112 OF TITLE 24, TO CHOOSE A HIGHER EDUCATION INSTITUTION TO HOST THE INSTITUTE. The department may enter into a multi-year contract with a public or private institution of higher education, subject to annual review and renewal.

(II) The contract to host the institute must require the host institution, at a minimum, to provide the following services in managing the institute:

(A) Establish requirements for and create the form of the applications that students submit to participate in the institute and establish the timelines for submitting applications and selecting participants;

~~(B) Review applications received from students and recommend participants to the executive board;~~ AND ANNUALLY SELECT STUDENTS TO PARTICIPATE IN THE INSTITUTE. IN REVIEWING APPLICATIONS AND SELECTING STUDENTS TO PARTICIPATE IN THE INSTITUTE, THE HOST INSTITUTION MUST ENSURE THAT AT LEAST FIFTY PERCENT OF THE STUDENTS SELECTED TO ATTEND THE INSTITUTE EACH YEAR 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., OR WOULD BE THE FIRST IN THEIR IMMEDIATE FAMILIES TO ATTEND AN INSTITUTION OF HIGHER EDUCATION; THAT THE STUDENTS WHO ARE SELECTED RESIDE IN AREAS THROUGHOUT THE STATE AND REPRESENT GENDER, ETHNIC, RACIAL, AND SOCIOECONOMIC DIVERSITY OF THE STATE; THAT THE STUDENTS REPRESENT THE EDUCATIONAL PROGRAM OPTIONS AVAILABLE THROUGHOUT THE STATE; AND THAT THE STUDENTS DEMONSTRATE THROUGH THEIR INDIVIDUAL CAREER AND ACADEMIC PLANS A COMMITMENT TO CONTINUING POSTSECONDARY EDUCATION AFTER HIGH SCHOOL GRADUATION.

(C) Annually solicit educators to participate as faculty for the institute and annually ~~recommend to the executive board~~ SELECT faculty and courses for the institute;

(D) Provide space for classes, lectures, and seminars; ~~and~~

(E) Provide living and eating facilities for students who participate in the

institute; AND

(F) COLLECT ANY NECESSARY DATA FOR THE REPORT AND COMPILE IT AS REQUIRED UNDER SUBSECTION (1)(d) OF THIS SECTION.

(c) The ~~executive~~ STATE board OF EDUCATION may appoint an advisory board consisting of persons in the community who are supportive of education to assist the ~~executive~~ STATE board OF EDUCATION AND HOST INSTITUTION in marketing the institute and soliciting public and private gifts, grants, and donations for the institute. Any persons appointed to an advisory board pursuant to this ~~subsection~~ ~~(3)(c)~~ SUBSECTION (1)(c) serve without compensation and without reimbursement for expenses.

(d) Beginning in ~~the 2017 regular legislative session~~ 2024, the ~~executive board~~ HOST INSTITUTION shall annually report to THE STATE BOARD AND the education committees of the house of representatives and the senate, or any successor committees, the ~~executive board's~~ HOST INSTITUTION'S progress and success in implementing the institute. The ~~executive board~~ HOST INSTITUTION must, at a minimum, report the success of the institute as measured by the enrollment and progress of institute alumni in postsecondary educational programs.

22-106-105. [Formerly 23-77-105] Colorado student leaders institute - funding - cash fund created - repeal. (1) (a) The general assembly shall annually appropriate money to the department of ~~higher~~ education for the institute to pay the direct and indirect costs that the ~~executive~~ STATE board OF EDUCATION incurs in operating the institute, including costs relating to the host institution and stipends for the institute faculty members.

(b) IF THE DEPARTMENT OF EDUCATION DOES NOT SPEND THE TOTAL AMOUNT APPROPRIATED PURSUANT TO THIS SUBSECTION (1) BY THE END OF THE FISCAL YEAR FOR WHICH IT IS APPROPRIATED, ANY AMOUNT NOT EXPENDED UP TO FIFTY PERCENT OF THE TOTAL AMOUNT APPROPRIATED IS FURTHER APPROPRIATED TO THE DEPARTMENT FOR THE SUBSEQUENT STATE FISCAL YEAR FOR THE SAME PURPOSE.

(2) (a) In addition to the amount appropriated pursuant to subsection (1) of this section, the ~~executive~~ STATE board OF EDUCATION ~~with the assistance of an advisory board if appointed,~~ may solicit, accept, and expend public or private gifts, grants, or donations to implement the institute. The ~~executive~~ STATE board OF EDUCATION shall transmit any money that it receives pursuant to this subsection (2)(a) and any money it receives from participating students to the state treasurer. The state treasurer shall deposit the money in the Colorado student leaders institute cash fund, referred to in this section as the "cash fund", which is created in the state treasury. Annual operation of the institute is conditional upon receiving at least forty thousand dollars in gifts, grants, or donations by June 1 of each year.

(b) The money in the cash fund is continuously appropriated to the ~~executive~~ STATE board OF EDUCATION for the direct and indirect costs incurred in implementing the institute. The state treasurer may invest as provided by law any money in the cash fund that is not expended for the purposes of this ~~article 77~~ ARTICLE 106. The state treasurer shall credit to the cash fund all interest and income derived from the investment and deposit of money in the cash fund. Any

unexpended and unencumbered money remaining in the cash fund at the end of a fiscal year ~~must remain~~ REMAINS in the cash fund and ~~shall~~ IS NOT be credited to another fund. ~~except that the state treasurer shall credit any unexpended and unencumbered money remaining in the fund as of June 30, 2024, to the state education fund created in section 17 (4) of article IX of the state constitution.~~

(3) (a) ANY MONEY APPROPRIATED TO THE DEPARTMENT OF HIGHER EDUCATION FOR STATE FISCAL YEAR 2022-23 THAT IS NOT EXPENDED BEFORE JULY 1, 2023, IS FURTHER APPROPRIATED TO THE DEPARTMENT OF HIGHER EDUCATION FOR STATE FISCAL YEAR 2023-24 FOR THE SAME PURPOSE.

(b) THIS SUBSECTION (3) IS REPEALED, EFFECTIVE JULY 1, 2024.

SECTION 2. Repeal of relocated and nonrelocated provisions in this act. In Colorado Revised Statutes, **repeal** article 77 of title 23; except that 23-77-106 is not relocated.

SECTION 3. Transfer of appropriation. Any appropriation made in the annual general appropriation act for the 2023-24 state fiscal year to the department of higher education for the Colorado student leaders institute is hereby transferred to the department of education to implement this act.

SECTION 4. Appropriation. For the 2023-24 state fiscal year, \$8,184 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 0.1 FTE. To implement this act, the department may use this appropriation for the Colorado student leaders institute.

SECTION 5. Effective date. This act takes effect July 1, 2023; except that section 22-106-105 (3), Colorado Revised Statutes, enacted in section 1 of this act, takes effect June 30, 2023.

SECTION 6. Safety clause. The general assembly hereby finds, determines, and declares that this act is necessary for the immediate preservation of the public peace, health, or safety.

Approved: April 27, 2023