

An Act

HOUSE BILL 16-1082

BY REPRESENTATIVE(S) Garnett and Willett, Arndt, Danielson, Fields, Ginal, Hamner, Lontine, Mitsch Bush, Pettersen, Primavera, Rosenthal, Ryden, Young, Hullinghorst;
also SENATOR(S) Todd, Baumgardner, Carroll, Donovan, Heath, Jahn, Kefalas, Kerr, Lundberg, Marble, Martinez Humenik, Merrifield, Newell, Roberts, Steadman, Ulibarri, Woods.

CONCERNING AREA VOCATIONAL SCHOOLS, AND, IN CONNECTION THEREWITH, CHANGING THE NAME OF AREA VOCATIONAL SCHOOLS TO AREA TECHNICAL COLLEGES AND ADDING REPRESENTATION FOR AREA TECHNICAL COLLEGES TO CERTAIN BOARDS.

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

SECTION 1. In Colorado Revised Statutes, 12-47-308, **amend** (1) (b) and (3) (b) as follows:

12-47-308. Unlawful financial assistance.
(1) (b) Notwithstanding the provisions of paragraph (a) of this subsection (1), any person or party described in said paragraph (a) may provide financial or in-kind assistance, directly or indirectly, to a nonprofit arts organization that has been issued an arts license pursuant to section 12-47-417 or to a state-supported institution of higher education in

Capital letters indicate new material added to existing statutes; dashes through words indicate deletions from existing statutes and such material not part of act.

Colorado, including junior colleges, area ~~vocational schools~~ TECHNICAL COLLEGES, and the Auraria higher education center, or the governing board of a state-supported institution of higher education, or to a nonpublic institution of higher education as defined in section 23-3.7-102, C.R.S., that is operating pursuant to 26 U.S.C. sec. 501 (c) (3) of the federal "Internal Revenue Code of 1986", as amended, if the institution has been issued a license pursuant to article 46, 47, or 48 of this title.

(3) (b) Notwithstanding the provisions of paragraph (a) of this subsection (3), a nonprofit arts organization that has been issued an arts license pursuant to section 12-47-417 or a state-supported institution of higher education in Colorado, including junior colleges, area ~~vocational schools~~ TECHNICAL COLLEGES, and the Auraria higher education center, or the governing board of a state-supported institution of higher education, or a nonpublic institution of higher education as defined in section 23-3.7-102, C.R.S., that is operating pursuant to 26 U.S.C. sec. 501 (c) (3) of the federal "Internal Revenue Code of 1986", as amended, if the institution has been issued a license pursuant to article 46, 47, or 48 of this title, may receive financial or in-kind assistance, directly or indirectly, from the persons or parties described and referred to in paragraph (a) of subsection (1) of this section.

SECTION 2. In Colorado Revised Statutes, 12-59-103, **amend** (13) as follows:

12-59-103. Definitions. As used in this article, unless the context otherwise requires:

(13) "Train-out" means the opportunity for a student of a private occupational school ceasing operation to meet such student's educational objectives through training provided by another approved private occupational school, a community college, an area ~~vocational school~~ TECHNICAL COLLEGE, or any other training arrangement acceptable to the division.

SECTION 3. In Colorado Revised Statutes, 12-59-115, **amend** (7) (a) as follows:

12-59-115. Bonds. (7) (a) In the event that a private occupational school ceases operation, the board ~~shall be~~ IS authorized to make demand

on the surety of such school upon the demand for a refund by a student or the implementation of a train-out for the students of such school, and the surety shall pay the claim due in a timely manner. To the extent practicable, the board shall use the amount of the bond to provide train-out for students of the private occupational school ceasing operation through a contract with another approved private occupational school, a community college, an area ~~vocational school~~ TECHNICAL COLLEGE, or any other training arrangement acceptable to the board. The train-out provided to a student ~~shall replace~~ REPLACES the original enrollment agreement or contract between the student and the private occupational school ceasing operation; except that tuition and fee payments shall be made by the student as required by the original enrollment agreement or contract.

SECTION 4. In Colorado Revised Statutes, 22-10-103, **amend** (7) (a) and (11) (b) (I) as follows:

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

(7) "Local education provider" means one of the following entities that the department recognizes as providing appropriate and effective adult education and literacy programs:

(a) A secondary or postsecondary, public or private, nonprofit educational entity, including but not limited to a school district, charter school, board of cooperative services, state institution of higher education, junior college, and area ~~vocational school~~ TECHNICAL COLLEGE;

(11) (b) For purposes of this subsection (11), a postsecondary education or training provider includes, but need not be limited to:

(I) A state institution of higher education, junior college, or area ~~vocational school~~ TECHNICAL COLLEGE;

SECTION 5. In Colorado Revised Statutes, 22-35-103, **amend** (12) (a) as follows:

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

(12) "Institution of higher education" means:

(a) A state university or college, community college, junior college, local district college, or area ~~vocational school~~ TECHNICAL COLLEGE described in title 23, C.R.S.;

SECTION 6. In Colorado Revised Statutes, 22-35-105, **amend** (3) (a) (I) as follows:

22-35-105. Financial provisions - payment of tuition. (3) (a) A cooperative agreement shall establish the tuition rate at which the local education provider shall pay the institution of higher education for any courses in which a qualified student of the local education provider concurrently enrolls at the institution. The tuition rate shall not exceed:

(I) For a course offered by a public community college, a public junior college, or an area ~~vocational school~~ TECHNICAL COLLEGE, the student share of the tuition rate established for Colorado residents enrolled in the course, which tuition rate is established by the state board for community colleges and occupational education pursuant to section 23-60-202 (1) (c) (I), C.R.S.; except that, if the local education provider is located outside the boundaries of every community college service area, as assigned by the commission pursuant to section 23-60-207, C.R.S., the tuition rate shall not exceed the actual student share of the resident tuition rate of the nearest Colorado public institution of higher education.

SECTION 7. In Colorado Revised Statutes, 22-35-107, **amend** (2) introductory portion, (2) (b), and (6) (f) as follows:

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

(b) ~~Four~~ FIVE representatives from the state systems of higher education appointed by the executive director of the department of higher education, including ~~at least~~ two members who represent the Colorado community college system, one member who represents a public, four-year institution of higher education, ~~and~~ one member who represents a local district college, AND ONE MEMBER WHO REPRESENTS AN AREA TECHNICAL COLLEGE;

(6) The board shall have the following duties:

(f) Collaborating with persons from the department of education, the department of labor and employment, the community college system, the local district junior colleges, ~~area vocational schools~~ TECHNICAL COLLEGES, and the Colorado work force development council created in section 24-46.3-101, C.R.S., to create a set of standard recommendations to advise and assist local education providers in creating cooperative agreements to include course work related to apprenticeship programs and internship programs as options within a local education provider's concurrent enrollment program. The board shall complete the standard recommendations and make them available to local education providers by January 1, 2016.

SECTION 8. In Colorado Revised Statutes, 23-1-102, **amend** (2) as follows:

23-1-102. Commission established - terms of office. (2) There is hereby established a central policy and coordinating board for higher education in the state of Colorado, to be known as the Colorado commission on higher education, referred to in this article as the "commission". The duties and powers delegated to the commission by this article ~~shall~~ apply to all state-supported institutions of higher education, including, but not limited to, all postsecondary institutions in the state supported in whole or part by state funds, and including junior colleges and community colleges, extension programs of the state-supported universities and colleges, local district colleges, ~~area vocational schools~~ TECHNICAL COLLEGES, the Auraria higher education center established in article 70 of this title, and specifically the regents of the university of Colorado and the institutions it governs. The governing boards and institutions of the public system of higher education in Colorado, including the university of Colorado, are obligated to conform to the policies set by the commission within the authorities delegated to it in this article.

SECTION 9. In Colorado Revised Statutes, 23-1-106, **amend** (5) (a) as follows:

23-1-106. Duties and powers of the commission with respect to capital construction and long-range planning - legislative declaration - definitions. (5) (a) The commission shall approve plans for any capital

construction or capital renewal project at any state institution of higher education regardless of the source of funds; except that the commission need not approve plans for any capital construction or capital renewal project at a local district college or area ~~vocational school~~ TECHNICAL COLLEGE or for any capital construction or capital renewal project described in subsection (9) or (10) of this section.

SECTION 10. In Colorado Revised Statutes, 23-1-108, amend (1.5) (b) (VI), (1.9) (a) (I), (1.9) (a) (III), and (1.9) (b) as follows:

23-1-108. Duties and powers of the commission with regard to systemwide planning. (1.5) (b) At a minimum, the commission shall address the following issues in developing the master plan:

(VI) The role of two-year and four-year junior colleges and area ~~vocational schools~~ TECHNICAL COLLEGES in helping to address the workforce and economic development needs of the state within the system of higher education; and

(1.9) (a) (I) On or before December 1, 2013, the commission shall create a performance-based funding plan to appropriate to each governing board, including the governing boards for the junior colleges and area ~~vocational schools~~ TECHNICAL COLLEGES, a portion of the performance funding amount for the applicable state fiscal year based on the success demonstrated by the institutions under each governing board's control in meeting the goals and expectations specified in the institutions' respective performance contracts.

(III) The commission shall ensure that the performance-based funding plan distributes the performance funding amount on the basis of an institution's performance in meeting the negotiated goals and expectations specified in its performance contract. The distribution of the performance funding amount shall not take into account additional revenues that may be available to the institution, including but not limited to local property tax revenues received by the junior colleges and area ~~vocational schools~~ TECHNICAL COLLEGES.

(b) After the 2016-17 state fiscal year, in each state fiscal year in which the general assembly appropriates the restored level of general fund appropriations for the state system of higher education, the commission,

based on the performance-based funding plan adopted in the master plan, shall recommend to the joint budget committee the portion of the performance funding amount to be appropriated to each governing board, including the governing boards for the junior colleges and the area ~~vocational schools~~ TECHNICAL COLLEGES, based on the demonstrated performance of the institutions that are under the governing board's control in meeting the institutions' goals and expectations specified in the institutions' respective performance contracts.

SECTION 11. In Colorado Revised Statutes, 23-1-130, **amend** (2) (a) as follows:

23-1-130. Department duty to report on workforce needs and credential production - repeal. (2) To the extent practicable within available resources and subject to the availability of data currently collected by and accessible to state agencies, the department, in consultation with the department of labor, the department of regulatory agencies, and any other entity the department deems appropriate, shall produce an annual report regarding state workforce need projections and credential production. The report shall:

(a) Indicate the state's anticipated workforce needs and the number of degrees, certificates, and other credentials that public and private institutions of higher education, private occupational schools, local district colleges, and area ~~vocational schools~~ TECHNICAL COLLEGES expect to issue;

SECTION 12. In Colorado Revised Statutes, 23-1-132, **amend** (3) as follows:

23-1-132. Commission directive - tuition waivers for exonerated persons. (3) The policy described in subsection (1) of this section ~~shall~~ **MUST** be implemented by all state-supported institutions of higher education, including but not limited to all postsecondary institutions in the state supported in whole or in part by state funds, including junior colleges and community colleges, extension programs of the state-supported universities and colleges, local district colleges, and area ~~vocational schools~~ TECHNICAL COLLEGES.

SECTION 13. In Colorado Revised Statutes, 23-2-102, **amend** (1) as follows:

23-2-102. Definitions. As used in this article, unless the context otherwise requires:

(1) "Alternate enrollment" means the opportunity for a student enrolled in a private college or university that ceases operation to meet the student's educational objectives through education provided by another authorized private college or university, a community college, an area ~~vocational school~~ TECHNICAL COLLEGE, or any other educational arrangement acceptable to the department and the commission.

SECTION 14. In Colorado Revised Statutes, 23-2-103.8, amend (7) (a) as follows:

23-2-103.8. Financial integrity - surety. (7) (a) If a private college or university ceases operation, the commission may make demand on the surety of the institution upon the demand for a refund by a student or the implementation of alternate enrollment for the students enrolled in the institution, and the holder of the surety or, if the surety is a bond, the principal on the bond shall pay the claim due in a timely manner. To the extent practicable, the commission shall use the amount of the surety to provide alternate enrollment for students of the institution that ceases operation through a contract with another authorized private college or university, a community college, an area ~~vocational school~~ TECHNICAL COLLEGE, or any other arrangement that is acceptable to the department. The alternate enrollment provided to a student ~~shall replace~~ REPLACES the original enrollment agreement, if any, between the student and the private college or university; except that the student shall make the tuition and fee payments as required by the original enrollment agreement, if any.

SECTION 15. In Colorado Revised Statutes, 23-3.1-206.9, amend (1) (a) (III) as follows:

23-3.1-206.9. Colorado collegeinvest scholarship program - administration - fund - policies. (1) There is hereby created the Colorado collegeinvest scholarship program for the purpose of increasing access to postsecondary education. The Colorado collegeinvest scholarship program shall be implemented and administered by the authority. A scholarship under the Colorado collegeinvest scholarship program may be awarded only to an undergraduate student who, each year:

(a) (III) Attends an area ~~vocational school~~ TECHNICAL COLLEGE, as defined in section 23-60-103 (1), and is earning postsecondary credits that may be transferred into an associate degree program at a community college or into a degree program at a four-year institution of higher education as provided in section 23-1-108 (7) and the state credit transfer policies established by the Colorado commission on higher education; and

SECTION 16. In Colorado Revised Statutes, 23-3.3-1101, **amend** (1) as follows:

23-3.3-1101. Career and technical education certificate programs - tuition assistance - funding. (1) The commission shall establish a tuition assistance program for students enrolled in career and technical education certificate programs, referred to in this section as "certificate programs". Subject to available appropriations, the commission shall allocate moneys to community colleges, Colorado Mesa university, area ~~vocational schools~~ TECHNICAL COLLEGES, and local district junior colleges to provide tuition assistance for students who meet the income eligibility requirements for the federal Pell grant but do not qualify for the Pell grant because the certificate program in which they are enrolled does not meet the Pell grant minimum credit hour requirements. The department of higher education and the institutions that receive tuition assistance moneys pursuant to this section shall administer the program in accordance with policies and procedures that the commission establishes.

SECTION 17. In Colorado Revised Statutes, 23-5-111.4, **amend** (3) (a) as follows:

23-5-111.4. Tuition for members of the National Guard. (3) (a) For the purposes of this section, "designated institution of higher education" means the Colorado state university - Pueblo, Adams state university, Colorado Mesa university, Metropolitan state university of Denver, Fort Lewis college, Western state Colorado university, all independent area ~~vocational schools~~ TECHNICAL COLLEGES, all local district colleges, the university of northern Colorado, the university of Colorado at Boulder, the university of Colorado at Denver, the university of Colorado at Colorado Springs, Colorado state university, the Colorado school of mines, the university of Colorado health sciences center, all community colleges governed by the state board for community colleges and occupational education, and any private institution of higher education in

Colorado that qualifies for the college opportunity fund pursuant to article 18 of this title and that offers an accredited certificate or degree program in homeland security. For a member of the Colorado National Guard enrolled in a private institution of higher education, tuition assistance ~~shall be~~ IS limited to the completion of the accredited certificate or degree program in homeland security and ~~shall be~~ IS provided at the discretion of the adjutant general of the department of military and veterans affairs. The tuition benefit to members of the Colorado National Guard under this subsection (3) for an accredited certificate or degree program in homeland security shall not exceed the moneys appropriated annually to the Colorado National Guard pursuant to section 23-3.3-202.

SECTION 18. In Colorado Revised Statutes, 23-5-129, amend (1) (b) and (11) as follows:

23-5-129. Governing boards - performance contract - authorization - operations. (1) As used in this section, unless the context otherwise requires:

(b) "State institution of higher education" ~~shall have~~ HAS the same meaning as provided in section 23-18-102 (10); except that "state institution of higher education" ~~shall include~~ INCLUDES each junior college that is part of a junior college district organized pursuant to article 71 of this title and the area ~~vocational schools~~ TECHNICAL COLLEGES, as defined in section 23-60-103.

(11) Notwithstanding any provision of this section to the contrary, the provisions of subsections (6), (7), and (10) of this section do not apply to the local district junior colleges or the area ~~vocational schools~~ TECHNICAL COLLEGES.

SECTION 19. In Colorado Revised Statutes, 23-5-140, amend (2) (a) as follows:

23-5-140. Lifesaving school safety information. (2) As used in this section, unless the context otherwise requires:

(a) "Institution of higher education" or "institution" means a state institution of higher education as defined in section 23-18-102 (10) (a), a junior college, an area ~~vocational school~~ TECHNICAL COLLEGE, or a

technical college.

SECTION 20. In Colorado Revised Statutes, 23-5-141, **amend** (2) (c) as follows:

23-5-141. Campus police information sharing - legislative declaration - definitions. (2) For purposes of this section:

(c) "State institution of higher education" means a state institution of higher education as defined in section 23-18-102 (10) (a), a junior college, an area ~~vocational school~~ TECHNICAL COLLEGE, the Auraria higher education center, an education center, or a technical college.

SECTION 21. In Colorado Revised Statutes, 23-18-302, **amend** (1.5) as follows:

23-18-302. Definitions. As used in this part 3, unless the context otherwise requires:

(1.5) "Area ~~vocational school~~ TECHNICAL COLLEGE" has the same meaning as provided in section 23-60-103 (1).

SECTION 22. In Colorado Revised Statutes, 23-18-303, **amend** (1) as follows:

23-18-303. Fee-for-service contracts - authorization - definitions. (1) For the 2015-16 state fiscal year and each fiscal year thereafter, the governing board of a state institution of higher education may annually negotiate a fee-for-service contract with the department for the delivery of higher education services by the institution for the benefit of the state and its residents. Specialty education programs, area ~~vocational schools~~ TECHNICAL COLLEGES, and local district junior colleges are funded pursuant to the provisions of section 23-18-304.

SECTION 23. In Colorado Revised Statutes, 23-18-304, **amend** (2) (a), (2) (b), and (4) as follows:

23-18-304. Funding for specialty education programs - area technical colleges - local district junior colleges. (2) (a) Except as provided in paragraph (b) of this subsection (2), for the 2015-16 state fiscal

year and each fiscal year thereafter, the direct grants made to eligible area ~~vocational schools~~ TECHNICAL COLLEGES pursuant to part 3 of article 71 of this title for a state fiscal year must be equal to the amount of the grants made in the preceding state fiscal year, increased or decreased by a percentage equal to the percentage change in the total state appropriation for the applicable state fiscal year from the total state appropriation for the preceding state fiscal year.

(b) After considering the status of the performance contracts with the area ~~vocational schools~~ TECHNICAL COLLEGES pursuant to section 23-5-129, the commission may recommend as part of its budget request that direct grants to area ~~vocational schools~~ TECHNICAL COLLEGES increase by a percentage that is greater than the percentage change in the total state appropriation for the preceding state fiscal year or decrease by a percentage that is less than the percentage change in the total state appropriation for the applicable fiscal year from the total state appropriation for the preceding state fiscal year.

(4) The governing boards of institutions with specialty education programs, the area ~~vocational schools~~ TECHNICAL COLLEGES, the local district junior colleges, and the commission are encouraged to develop funding models that include specific performance metrics to ensure that these programs and institutions are meeting the policy goals established by the general assembly and adopted by the commission in its master plan.

SECTION 24. In Colorado Revised Statutes, 23-19.9-102, amend (1) (b) as follows:

23-19.9-102. Higher education federal mineral lease revenues fund - higher education maintenance and reserve fund - creation - sources of revenues - use. (1) (b) The general assembly may annually appropriate moneys in the revenues fund to directly pay for or pay the costs of financing capital construction projects at state-supported institutions of higher education that are included on a prioritized list of such projects specified in a joint resolution that has taken effect in accordance with section 39 of article V of the state constitution after being sponsored by the joint budget committee of the general assembly, approved by the general assembly, and presented to the governor pursuant to section 23-1-106.3 (1) (b), enacted by Senate Bill 08-233, enacted at the second regular session of the sixty-sixth general assembly. The general assembly may also

appropriate moneys in the revenues fund to the department of education for distribution by the department, or any board or division within the department that the department may designate, to school districts for capital construction projects at area ~~vocational schools~~ TECHNICAL COLLEGES, as defined in section 23-60-103 (1). In making such appropriations, the general assembly shall give priority consideration to capital construction projects at state-supported institutions of higher education that are located in communities that are substantially impacted by energy production or conversion activities, and the department, or any board or division within the department designated to distribute moneys appropriated to the department pursuant to this paragraph (b), shall give priority consideration to capital construction projects at area ~~vocational schools~~ TECHNICAL COLLEGES that are located in such communities. Only capital construction projects that will be used exclusively or primarily for academic purposes shall be eligible for funding pursuant to this paragraph (b).

SECTION 25. In Colorado Revised Statutes, 23-60-102, **amend** (3) as follows:

23-60-102. Legislative declaration. (3) The function of the two-year college system is to conduct occupational, technical, and community service programs with no term limitations and general education, including college transfer programs with unrestricted admissions. It is further the intent of this article to develop appropriate occupational education and adult education programs in these and other postsecondary educational institutions, to maintain and expand occupational education programs in the elementary and secondary schools of the state permitting local school districts already having ~~vocational schools~~ AREA TECHNICAL COLLEGES to continue to operate them, and to develop work study and on-the-job training programs designed to acquaint youth with the world of work and to train and retrain youth and adults for employment. The general assembly intends that state agencies concerned with occupational education in the public schools shall cooperate with the board in planning and implementing occupational education programs, to the end that the state of Colorado has complete and well-balanced occupational and adult education programs available to the people of Colorado at all educational levels.

SECTION 26. In Colorado Revised Statutes, 23-60-103, **amend** (1) as follows:

23-60-103. Definitions. As used in this article, unless the context otherwise requires:

(1) "~~Area vocational school~~ TECHNICAL COLLEGE" means a school offering approved postsecondary vocational programs for credit, operated by a local school district or by a board of cooperative services, and designated by the general assembly as an ~~area vocational school~~ TECHNICAL COLLEGE in conformity with standards established by the state board for community colleges and occupational education. Tuition rates and fees charged any person not enrolled in a secondary school curriculum shall be uniform for any group classification. For the purposes of this article, the following schools ~~as named in this subsection (1) or as their names may be changed pursuant to section 23-60-801~~; are declared to be area vocational schools TECHNICAL COLLEGES: The Emily Griffith ~~opportunity school~~ TECHNICAL COLLEGE, the Delta-Montrose ~~area vocational school~~ TECHNICAL COLLEGE, and the ~~Aurora tech center~~ PICKENS TECHNICAL COLLEGE.

SECTION 27. In Colorado Revised Statutes, 23-60-109, amend (1) (a) as follows:

23-60-109. Career pathways - design - legislative declaration.
(1) The general assembly finds and declares that:

(a) The board developed the manufacturing career pathway pursuant to part 10 of this article after consulting with local district junior colleges and ~~area vocational schools~~ TECHNICAL COLLEGES, and in collaboration with the department of labor and employment, the department of higher education, the department of education, and the state work force development council, created in section 24-46.3-101, C.R.S.;

SECTION 28. In Colorado Revised Statutes, **repeal** 23-60-801 as follows:

23-60-801. Area vocational schools - name. ~~The school district board of education or the board of cooperative services, whichever is applicable, that acts as the governing board of an area vocational school may, by resolution, rename the area vocational school to identify it as a technical college. Identifying an area vocational school as a technical college shall not change its status as an area vocational school nor change~~

~~the governance or operation of the area vocational school:~~

SECTION 29. In Colorado Revised Statutes, **amend** 23-60-802 as follows:

23-60-802. Area technical colleges - credits - transfer. On or before September 1, 2004, the board shall adopt policies to ensure that, if a student completes a program of study at an area ~~vocational school~~ TECHNICAL COLLEGE and subsequently enrolls in an institution within the state system of community and technical colleges, or transfers from an area ~~vocational school~~ TECHNICAL COLLEGE to an institution within the state system of community and technical colleges, any postsecondary course credits earned by the student while enrolled in the area ~~vocational school~~ TECHNICAL COLLEGE will apply in full at another area ~~vocational school~~ TECHNICAL COLLEGE or to an appropriate program leading to a certificate or to an associate degree at a community or technical college. Postsecondary credits earned by a student at an area ~~vocational school~~ TECHNICAL COLLEGE may be transferred into an associate degree program at a community college or into a degree program at a four-year institution of higher education as provided in section 23-1-108 (7) and the state credit transfer policies established by the Colorado commission on higher education.

SECTION 30. In Colorado Revised Statutes, 23-60-902, **amend** (1) (a), (1) (b), (1) (c), and (3) (a) as follows:

23-60-902. Accelerated education and skills training - certificates. (1) (a) The board may collaborate with the local district junior colleges, area ~~vocational schools~~ TECHNICAL COLLEGES, the unit within the department of education that works with adult education, and local workforce development programs to design certificate programs through which an eligible adult who has an insufficient level of information or math literacy may obtain a career and technical education certificate on an accelerated schedule to assist him or her in entering or re-entering the workforce or in obtaining better employment. Each certificate program must consist of courses that integrate information and math literacy development programs with career and technical training. The time required to complete a certificate program must not exceed twelve months.

(b) The board shall work with the community colleges, junior

district colleges, and area ~~vocational schools~~ TECHNICAL COLLEGES to design the career and technical training portion of each certificate program.

(c) The board is encouraged to collaborate with and may enter into memorandums of understanding with local district junior colleges, area ~~vocational schools~~ TECHNICAL COLLEGES, the unit within the department of education that works with adult education, local workforce development programs, and other local adult education providers to ensure that the accelerated certificates program can be implemented locally.

(3) (a) A community college in the state system of community and technical colleges, a local district junior college, and an area ~~vocational school~~ TECHNICAL COLLEGE may choose to participate in the accelerated certificates program by offering one or more of the certificate programs created through the accelerated certificates program pursuant to subsection (1) of this section.

SECTION 31. In Colorado Revised Statutes, 23-60-1003, **amend** (1) as follows:

23-60-1003. Manufacturing career pathway - design. (1) No later than the 2014-15 academic year, the board, after consulting with local district junior colleges and area ~~vocational schools~~ TECHNICAL COLLEGES, in collaboration with the department of labor and employment, the department of higher education, the department of education, and the state work force development council, created in section 24-46.3-101, C.R.S., shall design a career pathway for students within the manufacturing sector. The manufacturing career pathway shall connect school districts, local district junior colleges, area ~~vocational schools~~ TECHNICAL COLLEGES, community colleges, and four-year institutions of higher education with adult education programs, local workforce development programs, and regional manufacturing sector partnerships, and will allow a student to earn income while progressing along the career pathway.

SECTION 32. In Colorado Revised Statutes, 23-61.5-101, **amend** (1) as follows:

23-61.5-101. Formation - petition of electors. (1) Any area or part of an area of the state which is designated by the state board for community colleges and occupational education as an area to be served by

an area ~~vocational school~~ TECHNICAL COLLEGE and which also contains a junior college district which is designated as an area ~~vocational school~~ TECHNICAL COLLEGE pursuant to article 60 of this title may be formed as an area vocational district as provided in this part 1.

SECTION 33. In Colorado Revised Statutes, amend 23-61.5-110 as follows:

23-61.5-110. Property tax - vocational services. Each area vocational district, acting through its board, ~~shall have~~ HAS the power to impose an ad valorem property tax against property in the district to raise revenue for the purpose of meeting the cost of the postsecondary vocational services provided within the district by the area ~~vocational school~~ TECHNICAL COLLEGE which serves and is contained in the district, including but not limited to the cost of capital construction.

SECTION 34. In Colorado Revised Statutes, amend 23-61.5-112 as follows:

23-61.5-112. Additions to district - procedure. (1) If any part of the area designated by the state board for community colleges and occupational education as an area to be served by an area ~~vocational school~~ TECHNICAL COLLEGE desires to be annexed to an existing area vocational district, it may do so by the following procedure:

(a) By obtaining approval of the existing area vocational district. The approval ~~shall be~~ IS given only upon a majority vote of the eligible electors of the existing area vocational district as expressed by a majority polled at the time of the regular biennial school election held in the area vocational district. The election ~~shall~~ MUST be called only upon the affirmative vote of the board.

(b) By obtaining approval of the eligible electors residing in the part of the designated area desiring to be annexed voting on the question of annexation at a regular biennial school election. The election ~~shall~~ MUST be called only upon the filing of a petition for inclusion with the county clerk and recorder of the county in which the part is located or with the county clerk and recorder of each county in which a part is located if the part is located in more than one county. The petition ~~shall~~ MUST be signed by ten percent of the eligible electors who reside in the part. The provisions of

sections 23-61.5-104 and 23-61.5-106 shall apply to the election. If more than a majority of all votes cast at the election are in favor of the inclusion, the part shall be included in the area vocational district.

SECTION 35. In Colorado Revised Statutes, 23-61.5-201, amend (1) as follows:

23-61.5-201. Procedure. (1) Except as provided in subsection (2) of this section, the board shall determine in each year the amount of money necessary to be raised by taxation and shall fix a rate of levy which, when levied upon every dollar of valuation for assessment of taxable property within the district, will raise the amount required by the district annually to supply funds to defray its expenses, including but not limited to the cost of postsecondary vocational services provided by the area vocational school TECHNICAL COLLEGE and capital construction.

SECTION 36. In Colorado Revised Statutes, 23-71-302, amend (1) as follows:

23-71-302. Distribution of grants. (1) The board shall annually certify to the state treasurer the amount of the direct grants to be paid to Colorado mountain college, Aims community college, and the area vocational schools TECHNICAL COLLEGES, as specified by the general assembly and appropriated pursuant to section 23-18-304 for the applicable fiscal year. Each institution or area vocational school TECHNICAL COLLEGE may use the direct grants for current operating costs or for capital construction.

SECTION 37. In Colorado Revised Statutes, 23-71-303, amend (1) as follows:

23-71-303. Distributions to area technical colleges. (1) Any area vocational school TECHNICAL COLLEGE operating or organized and operating as such during the entire school year may be reimbursed by the state in an amount specified annually by the general assembly pursuant to section 23-18-304. ~~In no instance shall~~ Such reimbursement MUST NOT exceed the total direct cost of the vocational program per FTE.

SECTION 38. In Colorado Revised Statutes, 24-19.9-101, amend (2) as follows:

24-19.9-101. Definitions. As used in this article, unless the context otherwise requires:

(2) "Institution of higher education" means a state university or college, community college, junior college, local district college, or area ~~vocational school~~ TECHNICAL COLLEGE described in title 23, C.R.S.

SECTION 39. In Colorado Revised Statutes, 24-46.3-101, amend (2) (d) (IV) as follows:

24-46.3-101. State work force development council - creation - membership - funding through gifts, grants, and donations - talent pipeline cash fund. (2) Membership of the state council must include:

(d) Other members appointed by the governor, who are:

(IV) Representatives of organizations and individuals that have experience and expertise in the delivery of work force investment activities, including chief executive officers of community colleges, AREA TECHNICAL COLLEGES, and community-based organizations in the state;

SECTION 40. In Colorado Revised Statutes, 24-46.3-301, amend (2) as follows:

24-46.3-301. Definitions. As used in this part 3, unless the context otherwise requires:

(2) "Area ~~vocational school~~ TECHNICAL COLLEGE" has the same meaning as provided in section 23-60-103, C.R.S.

SECTION 41. In Colorado Revised Statutes, 23-46.3-302, amend (1) (a), (2) (a) (II), and (2) (a) (VII) as follows:

24-46.3-302. Postsecondary and work force readiness statewide coordinator - position created - duties. (1) (a) There is created the position of postsecondary and work force readiness statewide coordinator to work under the direction of the state work force development council. The statewide coordinator works with and helps to coordinate the efforts of local education providers, businesses, industry, area ~~vocational schools~~ TECHNICAL COLLEGES, community colleges, apprenticeship programs, the

department of education, the work force development council, the career and technical education division within the Colorado community college system, the department of higher education, college preparation programs, and other appropriate entities to raise the level of postsecondary and work force readiness that Colorado high school graduates achieve, especially with regard to readiness upon high school graduation for skilled career positions in business and industry.

(2) (a) The statewide coordinator shall assist local education providers in:

(II) Implementing concurrent enrollment programs as provided in article 35 of title 22, C.R.S., and in entering into concurrent enrollment agreements with area ~~vocational schools~~ TECHNICAL COLLEGES, community colleges, and four-year institutions of higher education;

(VII) Developing partnerships with businesses, industry, unions, area ~~vocational schools~~ TECHNICAL COLLEGES, community colleges, apprenticeship programs, and other entities to create opportunities for students to participate in educational and training programs that lead to obtaining a career entry-level credential.

SECTION 42. In Colorado Revised Statutes, 24-77-104.5, **amend** (4) (a) (IX) as follows:

24-77-104.5. General fund exempt account - appropriations to critical needs fund - specification of uses for health care and education - definitions. (4) (a) Funding for the benefit of students attending community colleges and other institutions of higher education, as used in subparagraph (III) of paragraph (b) of subsection (1) of this section, shall be limited to funding for:

(IX) Area ~~vocational school~~ TECHNICAL COLLEGE grants.

SECTION 43. In Colorado Revised Statutes, 39-3-124, **amend** (1) (b) (II) as follows:

39-3-124. Property used by state entity - installment sales or lease agreement - lease-purchase or leveraged lease agreement - exemption. (1) (b) (II) For purposes of this paragraph (b), "state-supported

institution of higher education" includes, but need not be limited to, all postsecondary institutions in the state supported in whole or in part by state funds, including junior colleges and community colleges, extension programs of the state-supported universities and colleges, local district colleges, area ~~vocational schools~~ TECHNICAL COLLEGES, and the institutions governed by the regents of the university of Colorado.

SECTION 44. In Colorado Revised Statutes, 39-22-531, amend (1) (h.5) as follows:

39-22-531. Colorado job growth incentive tax credit - rules - definitions - repeal. (1) As used in this section, unless the context otherwise requires:

(h.5) "State institution of higher education" means a state institution of higher education as defined in section 23-18-102 (10), C.R.S., a junior college, or an area ~~vocational school~~ TECHNICAL COLLEGE.

SECTION 45. In Colorado Revised Statutes, 39-30.5-103, amend (11) introductory portion as follows:

39-30.5-103. Definitions. As used in this article, unless the context otherwise requires:

(11) "State institution of higher education" means a state institution of higher education as defined in section 23-18-102 (10), C.R.S., a junior college, or an area ~~vocational school~~ TECHNICAL COLLEGE that:

SECTION 46. In Colorado Revised Statutes, 23-3.3-1004, amend (4) (a) (III) (D) as follows:

23-3.3-1004. Colorado opportunity scholarship initiative advisory board - created - duties - rules. (4) The board shall hold its first meeting on or before November 1, 2014, at a time and place to be designated by the executive director or by his or her designee. The board shall meet at least four times each year and shall carry out the following duties:

(a) Promulgate rules for administration of the initiative, including but not limited to the following:

(III) Rules establishing permissible uses of grant and scholarship moneys from the initiative, which rules shall stipulate that:

(D) To the extent practicable, grants of tuition assistance must be awarded to students representing rural and urban areas of the state and to students attending public vocational schools, AREA TECHNICAL COLLEGES, community colleges, four-year institutions of higher education, and research institutions; and

SECTION 47. In Colorado Revised Statutes, 23-41-114, amend (4) (b) (IV) (A) as follows:

23-41-114. Colorado energy research institute - creation.
(4) The institute shall conduct:

(b) The following specific research and educational programs designed to meet the information needs of the department of natural resources, other agencies of the state's executive branch, the legislature, and the public:

(IV) (A) To facilitate economic development by funding local community colleges, colleges, AREA TECHNICAL COLLEGES, and vocational schools in regions where energy development is occurring and by providing grants for job training and education resources to advance knowledge and skill development that goes beyond basic research and helps attract, educate, and train people for employment.

SECTION 48. 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 10, 2016, if adjournment sine die is on May 11, 2016); 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 2016 and, in such case, will take effect on the date of the official declaration of the vote thereon by the governor.

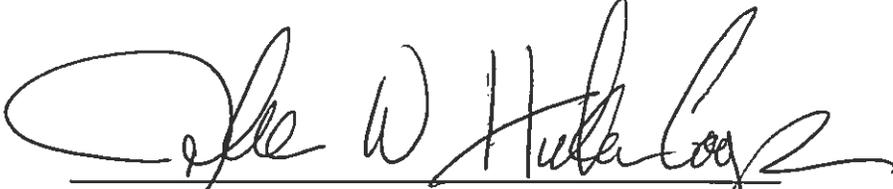

Dickey Lee Hullinghorst
SPEAKER OF THE HOUSE
OF REPRESENTATIVES


Bill L. Cadman
PRESIDENT OF
THE SENATE


Marilyn Eddins
CHIEF CLERK OF THE HOUSE
OF REPRESENTATIVES


Effie Ameen
SECRETARY OF
THE SENATE

APPROVED 2:49 PM 3/31/16


John W. Hickenlooper
GOVERNOR OF THE STATE OF COLORADO