

SENATE COMMITTEE OF REFERENCE REPORT

Chair of Committee

Date

March 11, 2021

Committee on Education.

After consideration on the merits, the Committee recommends the following:

SB21-106 be amended as follows, and as so amended, be referred to the Committee on Appropriations with favorable recommendation:

1 Amend printed bill, page 3, line 26, strike "DISTRICT," and substitute
2 "DISTRICT OR OF A BOARD OF COOPERATIVE SERVICES,".

3 Page 9, line 5, strike "8-83-225." and substitute "8-83-225, AND THAT
4 MEETS THE REQUIREMENTS SET FORTH IN SECTION 23-3.3-1304 (3).".

5 Page 12, strike lines 12 through 18 and substitute "IN THE PILOT
6 PROGRAM. THE ELIGIBLE GRADUATE MUST COMMENCE A POSTSECONDARY
7 PROGRAM WITHIN EIGHTEEN MONTHS AFTER GRADUATING EARLY, OR THE
8 ELIGIBLE GRADUATE FORFEITS THE STATE FUNDING.".

9 Page 13, after line 9 insert:

10 "(c) THE POSTSECONDARY PROGRAM SHALL ENSURE THAT THE
11 STATE FUNDING IS USED IN ACCORDANCE WITH THE REQUIREMENTS OF
12 THIS SECTION. THE DEPARTMENT SHALL DISSEMINATE GUIDELINES TO
13 PARTICIPATING POSTSECONDARY PROGRAMS CLEARLY DESCRIBING THE
14 ALLOWABLE USES OF STATE FUNDING UNDER THIS SECTION AND
15 ESTABLISHING THE EXPECTATION THAT THE POSTSECONDARY PROGRAMS
16 ENSURE APPROPRIATE USE OF STATE FUNDING.

17 (3) IN ORDER TO RECEIVE FUNDING AS A POSTSECONDARY
18 PROGRAM PURSUANT TO THIS PART 13, THE POSTSECONDARY PROGRAM
19 MUST HAVE QUALIFIED INSTRUCTORS CONSISTENT WITH THE
20 POSTSECONDARY PROGRAM'S ACCREDITATION OR AUTHORIZATION, AND:

21 (a) A TRAINING PROGRAM PROVIDER MUST BE IN COMPLIANCE

1 WITH ALL ELIGIBILITY AND QUALITY REQUIREMENTS FOR FUNDING UNDER
2 THE FEDERAL "WORKFORCE INNOVATION AND OPPORTUNITY ACT", 29
3 U.S.C. SEC. 3101 ET SEQ., REFERRED TO IN THIS SECTION AS "WIOA", AND
4 BE SUBJECT TO THE EQUAL OPPORTUNITY AND NONDISCRIMINATION
5 REQUIREMENTS OF WIOA AND ITS IMPLEMENTING REGULATIONS AT 29
6 CFR PART 38; AND

7 (b) AN INSTITUTION OF HIGHER EDUCATION SHALL COMPLY WITH
8 ALL STATE AND LOCAL SAFETY REQUIREMENTS AND WITH FEDERAL LAWS
9 PROHIBITING DISCRIMINATING AGAINST STUDENTS, INCLUDING TITLE IX
10 OF THE "EDUCATION AMENDMENTS OF 1972", THE "AMERICANS WITH
11 DISABILITIES ACT", SECTION 504 OF THE "REHABILITATION ACT OF 1973",
12 TITLE VI OF THE "CIVIL RIGHTS ACT OF 1964", AND THE "AGE
13 DISCRIMINATION ACT OF 1975", AND ANY OTHER FEDERAL
14 DISCRIMINATION STATUTES."

15 Page 13, line 21, strike "YEAR;" and substitute "YEAR AND THE AMOUNT
16 OF STATE FUNDING, IF ANY, REMITTED TO AN ELIGIBLE GRADUATE BY THE
17 POSTSECONDARY PROGRAM PURSUANT TO SECTION 23-3.3-1304 (2)(a);".

18 Page 14, line 9, after "IN" insert "SUBSECTION (1) OF".

19 Page 14, after line 10 insert:

20 "(3) (a) THE DEPARTMENT OF LABOR AND EMPLOYMENT SHALL
21 COMMUNICATE THE REPORTING EXPECTATIONS UNDER THE FEDERAL
22 "WORKFORCE INNOVATION AND OPPORTUNITY ACT", 29 U.S.C. SEC. 3101
23 ET SEQ., TO ALL APPROVED TRAINING PROVIDERS RECEIVING STATE
24 FUNDING PURSUANT TO THIS PART 13 TO ENSURE THAT PARTICIPATION AND
25 EMPLOYMENT OUTCOMES FOR EARLY GRADUATES ARE INCLUDED IN
26 EXISTING DEPARTMENT OF LABOR AND EMPLOYMENT REPORTING.

27 (b) THE DEPARTMENT SHALL COMMUNICATE REPORTING
28 EXPECTATIONS TO INSTITUTIONS OF HIGHER EDUCATION RECEIVING STATE
29 FUNDING PURSUANT TO THIS PART 13 TO ENSURE THAT EARLY GRADUATES
30 ARE INCLUDED IN EXISTING DEPARTMENT DATA COLLECTIONS REGARDING
31 OUTCOMES SUCH AS COMPLETION RATES, EARNINGS, AND EMPLOYMENT
32 OUTCOMES.

33 (c) TO THE EXTENT PRACTICABLE, POSTSECONDARY PROGRAMS
34 RECEIVING STATE FUNDING PURSUANT TO THIS PART 13 SHALL CONDUCT
35 AN ASSESSMENT TO DETERMINE WHY AN EARLY GRADUATE WHO LEFT THE
36 POSTSECONDARY PROGRAM PRIOR TO COMPLETION LEFT THE
37 POSTSECONDARY PROGRAM."



1 Page 15, strike line 6 and substitute "EFFECTIVE DECEMBER 31, 2027."

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