

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

REVISED

*This Version Includes All Amendments Adopted
on Second Reading in the Second House*

LLS NO. 19-0204.01 Julie Pelegrin x2700

SENATE BILL 19-176

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A BILL FOR AN ACT

101 **CONCERNING MEASURES TO EXPAND OPPORTUNITIES FOR STUDENTS TO**
102 **EARN POSTSECONDARY COURSE CREDIT WHILE ENROLLED IN**
103 **HIGH SCHOOL, AND, IN CONNECTION THEREWITH, MAKING AN**
104 **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>.)

The bill clarifies the differences between concurrent enrollment, dual enrollment programs, and other programs that enable a student to earn postsecondary credits while the student is enrolled in high school.

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

HOUSE
Amended 2nd Reading
May 1, 2019

SENATE
3rd Reading Unamended
April 17, 2019

SENATE
Amended 2nd Reading
April 16, 2019

Beginning in the 2020-21 school year, each school district, charter school, and public school operated by a board of cooperative services (local education provider) that enrolls students in grades 9 through 12 is required to provide the opportunity for concurrent enrollment. A local education provider cannot unreasonably deny approval for concurrent enrollment or limit the number of postsecondary courses in which a qualified student may enroll unless the local education provider is unable to provide access due to technological capacity.

The bill clarifies the information that a local education provider must provide to qualified students and their parents concerning concurrent enrollment, dual enrollment programs, the transferability of postsecondary course credits, and the costs that a qualified student or the student's parent may incur by enrolling in a postsecondary course through concurrent enrollment or a dual enrollment program. The bill clarifies that a qualified student and the student's parent are not required to pay tuition for concurrent enrollment or for enrolling in a postsecondary course through a pathways in technology early college high school, commonly known as a p-tech school.

The bill requires the department of education and the department of higher education to create a concurrent enrollment website to provide information to the public concerning the various types of programs available to enable students to earn postsecondary credits while enrolled in high school.

The bill creates the concurrent enrollment expansion and innovation grant program to provide grants to local education providers to use in starting to offer concurrent enrollment or expanding the availability of concurrent enrollment. The department of education must administer the grant program, including providing an annual report that explains how the grant money is used, who is enrolling in concurrent enrollment and the types of courses they are enrolling in, and the number and transferability of postsecondary credits earned through concurrent enrollment. The department must submit the report to the state board of education, the department of higher education, the Colorado commission on higher education, and the education committees of the general assembly. The department must also post the report to the concurrent enrollment website.

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

2 **SECTION 1. In Colorado Revised Statutes, 22-35-103, amend**

3 **(6); and add (17) as follows:**

4 **22-35-103. Definitions. As used in this article 35, unless the**

1 context otherwise requires:

2 (6) (a) "Concurrent enrollment" means the simultaneous
3 enrollment of a qualified student in a local education provider and in one
4 or more postsecondary courses, including academic or career and
5 technical education courses, which may include course work related to
6 apprenticeship programs or internship programs, at an institution of
7 higher education pursuant to the provisions of this article ARTICLE 35, AT
8 NO TUITION COST TO THE QUALIFIED STUDENT OR THE QUALIFIED
9 STUDENT'S PARENT OR LEGAL GUARDIAN, EXCEPT AS PROVIDED IN SECTION
10 22-35-105 (4)(c). AS PROVIDED IN SECTION 22-35-104 (5) AND (6)(b)(II),
11 UPON SUCCESSFULLY COMPLETING A CONCURRENT ENROLLMENT
12 POSTSECONDARY COURSE, THE QUALIFIED STUDENT MUST RECEIVE CREDIT
13 THAT APPLIES TO COMPLETION OF HIGH SCHOOL GRADUATION
14 REQUIREMENTS AND POSTSECONDARY CREDIT THAT APPLIES TOWARD
15 COMPLETION OF DEVELOPMENTAL EDUCATION COURSES, APPLIES TOWARD
16 EARNING A CERTIFICATE OR DEGREE AWARDED THROUGH AN APPROVED
17 POSTSECONDARY CAREER AND TECHNICAL EDUCATION PROGRAM, IS
18 APPROVED BY THE DEPARTMENT OF HIGHER EDUCATION FOR TRANSFER
19 FROM A TWO-YEAR INSTITUTION TO A FOUR-YEAR INSTITUTION IN
20 SATISFACTION OF PREREQUISITE COURSES FOR A SPECIFIC MAJOR, IS
21 APPROVED FOR STATEWIDE TRANSFER PURSUANT TO SECTION 23-1-125 OR
22 IS PART OF A STATEWIDE DEGREE TRANSFER AGREEMENT PURSUANT TO
23 SECTION 23-1-108 (7)(a).

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

26 (I) A local education provider and in one or more secondary
27 career and technical education courses, ADVANCED PLACEMENT COURSES,

1 OR INTERNATIONAL BACCALAUREATE COURSES;

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

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

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

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

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

15 **22-35-104. Enrollment in an institution of higher education -**
16 **cooperative agreement. (1) (a) (I) BEGINNING IN THE 2020-21 SCHOOL**
17 **YEAR AND IN EACH SCHOOL YEAR THEREAFTER, EACH LOCAL EDUCATION**
18 **PROVIDER THAT ENROLLS STUDENTS IN GRADES NINE THROUGH TWELVE**
19 **SHALL PROVIDE QUALIFIED STUDENTS THE OPPORTUNITY TO**
20 **CONCURRENTLY ENROLL IN POSTSECONDARY COURSES, INCLUDING**
21 **ACADEMIC COURSES AND CAREER AND TECHNICAL EDUCATION COURSES,**
22 **WHICH MAY INCLUDE COURSE WORK RELATED TO APPRENTICESHIP**
23 **PROGRAMS OR INTERNSHIP PROGRAMS, AS PROVIDED IN THIS ARTICLE 35.**
24 **THE LOCAL EDUCATION PROVIDER MAY DETERMINE THE MANNER IN WHICH**
25 **CONCURRENT ENROLLMENT OPPORTUNITIES ARE PROVIDED.**

26 (II) A qualified student enrolled in a high school of a school
27 district who ~~has applied to and received~~ APPLIES TO AND RECEIVES

1 approval from the superintendent of the school district or his or her THE
2 SUPERINTENDENT'S designee, or a qualified student enrolled in a district
3 charter school, an institute charter school, or a high school of a BOCES
4 who has applied to and received APPLIES TO AND RECEIVES approval from
5 the chief administrator of the district charter school, an institute charter
6 school, or a high school of a BOCES, pursuant to subsection (2) of this
7 section may register with and concurrently enroll in an institution of
8 higher education in accordance with the provisions of this article ARTICLE
9 35. A SUPERINTENDENT, THE SUPERINTENDENT'S DESIGNEE, OR THE CHIEF
10 ADMINISTRATOR OF A SCHOOL SHALL NOT UNREASONABLY DENY A
11 QUALIFIED STUDENT APPROVAL TO CONCURRENTLY ENROLL IN
12 POSTSECONDARY COURSES PURSUANT TO THIS ARTICLE 35. A LOCAL
13 EDUCATION PROVIDER MAY EXPAND ITS ABILITY TO PROVIDE ACCESS TO
14 CONCURRENT ENROLLMENT OPPORTUNITIES AS PROVIDED IN SECTION
15 23-1-109 (6).

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

26 (b) (I) Each local education provider shall annually notify all
27 students and parents or legal guardians of students enrolled in the local

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

17 (II) At least six weeks prior to the beginning of the enrollment
18 period for postsecondary concurrent enrollment courses, the local
19 education provider shall provide to each student and the parents PARENT
20 or legal guardian of the student written notice, which notice may be sent
21 electronically, of all postsecondary courses offered at a FOR CONCURRENT
22 ENROLLMENT AT NO TUITION COST TO THE QUALIFIED STUDENT OR THE
23 QUALIFIED STUDENT'S PARENT OR LEGAL GUARDIAN AT THE local
24 education provider's facility, and the cost to the student of each course, as
25 well as options for enrolling in CONCURRENT ENROLLMENT courses AT NO
26 TUITION COST TO THE QUALIFIED STUDENT OR THE QUALIFIED STUDENT'S
27 PARENT OR LEGAL GUARDIAN at an institution of higher education's

1 facility, and the ANY ANTICIPATED cost to the QUALIFIED student of FOR
2 FEEES OR BOOKS FOR those courses, This subsection (1)(b)(II) applies to all
3 postsecondary courses available to the student regardless of whether the
4 courses meet the requirements of this section AND THE NUMBER AND
5 TRANSFERABILITY OF COURSE CREDITS THAT A QUALIFIED STUDENT MAY
6 EARN BY ENROLLING IN THE CONCURRENT ENROLLMENT COURSES.

7 (III) At the time of enrollment, each local education provider shall
8 notify the QUALIFIED student and the QUALIFIED STUDENT'S parent or legal
9 guardian of the student if the postsecondary course in which the student
10 is enrolling including a postsecondary course offered as part of a program
11 of off-campus instruction pursuant to section 23-1-109, does not meet the
12 requirements of this section OF THE NUMBER AND TRANSFERABILITY OF
13 THE POSTSECONDARY CREDITS THE QUALIFIED STUDENT MAY EARN BY
14 COMPLETING THE CONCURRENT ENROLLMENT COURSE, INCLUDING
15 WHETHER THE CREDITS APPLY TOWARD COMPLETION OF DEVELOPMENTAL
16 EDUCATION COURSES, WHETHER THE CREDITS APPLY TO ONE OR MORE
17 APPROVED POSTSECONDARY CAREER AND TECHNICAL EDUCATION
18 PROGRAMS, WHETHER THE CREDITS ARE APPROVED BY THE DEPARTMENT
19 OF HIGHER EDUCATION FOR TRANSFER FROM A TWO-YEAR INSTITUTION TO
20 A FOUR-YEAR INSTITUTION IN SATISFACTION OF PREREQUISITE COURSES
21 FOR A SPECIFIC MAJOR, WHETHER THE CREDITS ARE APPROVED FOR
22 STATEWIDE TRANSFER PURSUANT TO SECTION 23-1-125, AND WHETHER
23 THE CREDITS ARE PART OF A STATEWIDE DEGREE TRANSFER AGREEMENT
24 PURSUANT TO SECTION 23-1-108 (7)(a).

25 (IV) The notice DESCRIBED IN SUBSECTION (1)(b)(III) OF THIS
26 SECTION must include information about other postsecondary courses
27 available to the QUALIFIED student pursuant to this section THROUGH

1 CONCURRENT ENROLLMENT at low or no cost to the QUALIFIED student,
2 that are credit-bearing and applicable toward earning a degree or
3 certificate at an THE institution of higher education OFFERING THE COURSE
4 or at any ANOTHER institution of higher education if the course is
5 approved for statewide transfer pursuant to section 23-1-125. The
6 institution of higher education offering the postsecondary course shall
7 inform the local education provider as to whether the postsecondary
8 course meets the requirements of this section.

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

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

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

19 (II) A requirement that course work completed by a qualified
20 student through concurrent enrollment at the institution of higher
21 education qualify as basic skills credit or academic credit applicable
22 toward earning a degree or certificate at the institution THAT APPLIES
23 TOWARD COMPLETION OF DEVELOPMENTAL EDUCATION COURSES, TOWARD
24 EARNING A CERTIFICATE OR DEGREE AWARDED THROUGH AN APPROVED
25 POSTSECONDARY CAREER AND TECHNICAL EDUCATION PROGRAM, IS
26 APPROVED BY THE DEPARTMENT OF HIGHER EDUCATION FOR TRANSFER
27 FROM A TWO-YEAR INSTITUTION TO A FOUR-YEAR INSTITUTION IN

1 SATISFACTION OF PREREQUISITE COURSES FOR A SPECIFIC MAJOR, IS
2 APPROVED FOR STATEWIDE TRANSFER PURSUANT TO SECTION 23-1-125 OR
3 IS PART OF A STATEWIDE DEGREE TRANSFER AGREEMENT PURSUANT TO
4 SECTION 23-1-108 (7)(a):

5 (IV.5) PROVISIONS PURSUANT TO WHICH THE LOCAL EDUCATION
6 PROVIDER AND THE INSTITUTION OF HIGHER EDUCATION MAY SHARE
7 STUDENT CONTACT AND ACADEMIC INFORMATION TO FACILITATE THE
8 QUALIFIED STUDENT'S CONCURRENT ENROLLMENT AND THE RECORDING OF
9 THE QUALIFIED STUDENT'S ACADEMIC PERFORMANCE IN THE CONCURRENT
10 ENROLLMENT COURSE:

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

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

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

27 **22-35-105. Financial provisions - payment of tuition.**

1 (3) (b) Nothing in this subsection (3) shall be interpreted to prohibit an
2 institution of higher education from charging tuition or associated fees to
3 a qualified student or his or her parent or legal guardian in addition to the
4 tuition paid by the student's local education provider to the institution
5 pursuant to paragraph (a) of this subsection (3).

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

8 **22-35-110. Exclusions.** (1) The provisions of this ~~article~~ **ARTICLE**
9 **35** shall not apply to any course that is offered as part of a program of
10 **off-campus instruction established pursuant to section 23-1-109, C.R.S.**
11 **SECTION 23-1-109 (1) TO (5).**

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

14 **22-35-111. Rules.** (2) **BY JULY 1, 2020, THE STATE BOARD SHALL**
15 **ADOPT RULES TO SPECIFY THE NUMBER OF POSTSECONDARY CREDITS IN**
16 **WHICH A QUALIFIED STUDENT MUST BE CONCURRENTLY ENROLLED TO**
17 **QUALIFY FOR FULL-TIME MEMBERSHIP FOR PURPOSES OF THE "PUBLIC**
18 **SCHOOL FINANCE ACT OF 1994", ARTICLE 54 OF THIS TITLE 22.**

19 **SECTION 6.** In Colorado Revised Statutes, **add** 22-35-113 and
20 **22-35-114** as follows:

21 **22-35-113. Concurrent enrollment - website.** (1) **BY JULY 1,**
22 **2020, THE DEPARTMENT OF EDUCATION AND THE DEPARTMENT OF HIGHER**
23 **EDUCATION, WITH ADVICE FROM THE STATE BOARD, SHALL MAKE**
24 **AVAILABLE TO THE PUBLIC A CONCURRENT ENROLLMENT WEBSITE TO**
25 **PROVIDE INFORMATION TO STUDENTS, PARENTS, AND LEGAL GUARDIANS**
26 **CONCERNING CONCURRENT ENROLLMENT OPTIONS AND REQUIREMENTS.**
27 **THE DEPARTMENTS MUST ENSURE THAT THE WEBSITE IS CLEAR, EASY TO**

1 NAVIGATE, AND GENERALLY USER-FRIENDLY. IN ADDITION, THE WEBSITE
2 MUST AT A MINIMUM:

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

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

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

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

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

25 (f) PROVIDE INFORMATION CONCERNING THE PAYMENT OF THE
26 COSTS OF CONCURRENT ENROLLMENT, INCLUDING TUITION, WHICH IS NOT
27 CHARGEABLE TO THE STUDENT OR THE STUDENT'S PARENT OR LEGAL

1 GUARDIAN EXCEPT AS PROVIDED IN SECTION 22-35-105 (4)(c), FEES AND
2 BOOKS, WHICH MAY BE CHARGEABLE TO THE STUDENT OR THE STUDENT'S
3 PARENT OR LEGAL GUARDIAN, AND TRANSPORTATION;

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

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

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

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

18 **22-35-114. Concurrent enrollment expansion and innovation**
19 **grant program - created - report - rules.** (1) THERE IS CREATED IN THE
20 DEPARTMENT THE CONCURRENT ENROLLMENT EXPANSION AND
21 INNOVATION GRANT PROGRAM TO PROVIDE GRANTS, SUBJECT TO
22 AVAILABLE APPROPRIATIONS, TO PARTNERING LOCAL EDUCATION
23 PROVIDERS AND INSTITUTIONS OF HIGHER EDUCATION, REFERRED TO IN
24 THIS SECTION AS A "PARTNERSHIP", THAT SEEK TO BEGIN OFFERING, OR TO
25 EXPAND THEIR CAPACITY TO OFFER, CONCURRENT ENROLLMENT
26 OPPORTUNITIES TO QUALIFIED STUDENTS. A SINGLE PARTNERSHIP MAY
27 INCLUDE MULTIPLE LOCAL EDUCATION PROVIDERS AND MULTIPLE

1 INSTITUTIONS OF HIGHER EDUCATION. A PARTNERSHIP THAT SEEKS A
2 GRANT MUST SUBMIT AN APPLICATION TO THE DEPARTMENT IN
3 ACCORDANCE WITH RULES OF THE STATE BOARD. THE APPLICATION MUST
4 INCLUDE:

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

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

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

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

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

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

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

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

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

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

24 (2) THE DEPARTMENT OF EDUCATION IN COORDINATION WITH THE
25 DEPARTMENT OF HIGHER EDUCATION SHALL REVIEW EACH GRANT
26 APPLICATION RECEIVED AND RECOMMEND TO THE STATE BOARD
27 APPLICANTS THAT MAY RECEIVE GRANTS AND THE RECOMMENDED

1 AMOUNT OF EACH GRANT. BEGINNING IN THE 2019-20 SCHOOL YEAR,
2 SUBJECT TO AVAILABLE APPROPRIATIONS, THE STATE BOARD, TAKING INTO
3 CONSIDERATION THE RECOMMENDATIONS OF THE DEPARTMENT OF
4 EDUCATION AND THE DEPARTMENT OF HIGHER EDUCATION, SHALL AWARD
5 GRANTS TO APPLYING PARTNERSHIPS PURSUANT TO THIS SECTION. IN
6 MAKING RECOMMENDATIONS AND AWARDED GRANTS, THE DEPARTMENTS
7 AND THE STATE BOARD SHALL AWARD GRANTS TO PARTNERSHIPS THAT:

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

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

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

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

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

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

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

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

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

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

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

27 (V) THE TYPES OF POSTSECONDARY COURSES, INCLUDING CAREER

1 AND TECHNICAL EDUCATION COURSES AND ANY COURSE WORK RELATED
2 TO APPRENTICESHIP PROGRAMS AND INTERNSHIP PROGRAMS, IN WHICH
3 QUALIFIED STUDENTS ENROLLED IN THE SCHOOL YEARS BEFORE AND
4 AFTER THE GRANT RECIPIENT RECEIVED THE GRANT:

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

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

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

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

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

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

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

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

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

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

19 22-35-107. Concurrent enrollment advisory board - created -
20 membership - duties - reports - repeal. (2) The board shall consist
21 CONSISTS of the following fourteen members:

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

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

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

11 **22-54-103. Definitions.** As used in this article 54, unless the
12 context otherwise requires:

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

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

27 (A) ENROLLMENT IN THE DISTRICT OR INSTITUTE CHARTER SCHOOL

1 ANDEVIDENCE, AS PROVIDED IN STATE BOARD RULE, OF ATTENDANCE FOR
2 ANY SECONDARY COURSES THE PUPIL IS ENROLLED IN; AND

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

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

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

13 **23-60-202.7. Powers of board with respect to concurrent**
14 **enrollment.** (1) AS USED IN THIS SECTION, UNLESS THE CONTEXT
15 OTHERWISE REQUIRES, "CONCURRENT ENROLLMENT" HAS THE SAME
16 MEANING AS PROVIDED IN SECTION 22-35-103.

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

27 (3) THE COMMUNITY COLLEGE SYSTEM MAY RECEIVE FUNDING FOR

1 THE SERVICES DESCRIBED IN THIS SECTION THROUGH A LIMITED PURPOSE
2 FEE-FOR-SERVICE CONTRACT AS PROVIDED IN SECTION 23-18-308.

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

5 **23-18-308. Fee-for-service contracts - limited purpose.**
6 (1) Subject to available appropriations, the department shall enter into
7 fee-for-service contracts for the following purposes:

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

10 (c) Cybersecurity and distributed ledger technologies, such as
11 blockchains, as set forth in sections 24-33.5-1904 and 24-33.5-1905; AND

12 (d) PROVIDING SERVICES TO MAXIMIZE CONCURRENT ENROLLMENT
13 ACROSS THE COMMUNITY COLLEGE SYSTEM AS PROVIDED IN SECTION
14 23-60-202.7.

15 **SECTION 11.** In Colorado Revised Statutes, 23-3.3-103, add (4)
16 as follows:

17 **23-3.3-103. Annual appropriations.** (4) THE PROVISIONS OF
18 SUBSECTION (1) OF THIS SECTION CONCERNING APPROPRIATIONS FOR
19 STUDENT FINANCIAL ASSISTANCE UNDER THIS ARTICLE DO NOT APPLY TO
20 APPROPRIATIONS MADE PURSUANT TO SECTIONS 23-18-308 (1)(d) AND
21 23-60-202.7 TO THE STATE BOARD FOR COMMUNITY COLLEGES AND
22 OCCUPATIONAL EDUCATION TO PROVIDE SERVICES TO MAXIMIZE
23 CONCURRENT ENROLLMENT ACROSS THE COMMUNITY COLLEGE SYSTEM.

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

26 **22-35-104. Enrollment in an institution of higher education -**
27 **cooperative agreement.** (1) (c) Notwithstanding the provisions of

1 subsection (1)(a) of this section, BEGINNING WITH THE 2022-23 SCHOOL
2 YEAR AND FOR SCHOOL YEARS THEREAFTER, a qualified student shall not
3 MAY concurrently enroll in a developmental education course ONLY IF THE
4 STUDENT IS INCLUDED WITHIN THE ENROLLING INSTITUTION'S
5 DEVELOPMENTAL EDUCATION ENROLLMENT LIMITATION SPECIFIED IN
6 SECTION 23-1-113.3 (1)(a)(I). A qualified student may enroll in gateway
7 courses in English or mathematics, as defined in section 23-1-113
8 (11)(b.5), with additional supports, if needed, through supplemental
9 academic instruction, as defined in section 23-1-113 (11)(e).

10 **SECTION 13. Appropriation.** For the 2019-20 state fiscal year,
11 \$44,916 is appropriated to the department of education. This
12 appropriation is from the general fund and is based on an assumption that
13 the department will require an additional 0.5 FTE. To implement this act,
14 the department may use this appropriation for college and career
15 readiness.

16 **SECTION 14. Appropriation.** For the 2019-20 state fiscal year,
17 \$1,500,000 is appropriated to the department of education. This
18 appropriation is from the marijuana tax cash fund created in section
19 39-28.8-501 (1), C.R.S., and is based on an assumption that the
20 department will require an additional 0.3 FTE. To implement this act, the
21 department may use this appropriation for the concurrent enrollment
22 expansion and innovation grant program.

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

1 state institutions.

2 (2) For the 2019-20 state fiscal year, \$105,000 is appropriated to
3 the department of higher education. This appropriation is from
4 reappropriated funds received from the limited purpose fee-for-service
5 contracts with state institutions under subsection (1) of this section. To
6 implement this act, the department may use this appropriation for the state
7 board for community colleges and occupational education state system
8 community colleges. This amount is based on an assumption that the
9 board will require an additional 1.0 FTE.

10 **SECTION 16. Act subject to petition - effective date.** This act
11 takes effect at 12:01 a.m. on the day following the expiration of the
12 ninety-day period after final adjournment of the general assembly (August
13 2, 2019, if adjournment sine die is on May 3, 2019); except that, if a
14 referendum petition is filed pursuant to section 1 (3) of article V of the
15 state constitution against this act or an item, section, or part of this act
16 within such period, then the act, item, section, or part will not take effect
17 unless approved by the people at the general election to be held in
18 November 2020 and, in such case, will take effect on the date of the
19 official declaration of the vote thereon by the governor.