

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

**PREAMENDED**

*This Unofficial Version Includes Committee  
Amendments Not Yet Adopted on Second Reading*

LLS NO. 20-0072.02 Julie Pelegrin x2700

**HOUSE BILL 20-1240**

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**HOUSE SPONSORSHIP**

**McCluskie and Will,**

**SENATE SPONSORSHIP**

**Donovan and Rankin,**

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**House Committees**

Education  
Appropriations

**Senate Committees**

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**A BILL FOR AN ACT**

101      **CONCERNING EXPANDING OPPORTUNITIES FOR HIGH SCHOOL**  
102      **STUDENTS TO ENROLL IN POSTSECONDARY COURSES.** ■

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**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 creates the early college policy development advisory group (advisory group) to design and recommend policies and changes to law to support the statewide development of and funding for early college programs and p-tech schools. The bill specifies the membership of the advisory group, which is appointed by the governor and must include members of the education leadership council, and the specific duties of

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.

the advisory group. In completing its duties, the advisory group must coordinate with the education leadership council. The advisory group must prepare an interim report and a final report of its findings and recommendations, and submit the reports by December 1, 2020, and December 1, 2021, respectively, to the governor, the education leadership council, the state board of education (state board), the Colorado commission on higher education (CCHE), and the education committees of the general assembly. The bill creates a legislative advisory council to provide advice and comment to the advisory group.

The bill expands the existing concurrent enrollment expansion and innovation grant program to include grants for specified purposes related to providing opportunities for students to simultaneously enroll in postsecondary courses or engage in work-based learning opportunities while enrolled in high school.

The bill extends for 2 additional budget years funding for students who enroll in an early college program that was approved before June 6, 2018, and who enroll in postsecondary courses in the fifth or sixth year of high school.

The bill authorizes the distribution of state financial assistance to students who enroll in postsecondary courses while still enrolled in high school.

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

2 **SECTION 1.** In Colorado Revised Statutes, **add** part 2 to article  
3 35.3 of title 22 as follows:

4 **PART 2**

5 **EARLY COLLEGE PROGRAM DEVELOPMENT**

6 **22-35.3-201. Legislative declaration.** (1) THE GENERAL  
7 ASSEMBLY FINDS THAT:

8 (a) ALTHOUGH COLORADO IS CONSIDERED A NATIONAL LEADER IN  
9 CONCURRENT ENROLLMENT POLICY, THE STATE HAS SEVERAL STATUTES  
10 AUTHORIZING STUDENTS TO EARN COLLEGE CREDITS WHILE ENROLLED IN  
11 HIGH SCHOOLS, WHICH WERE ENACTED AT DIFFERENT TIMES AND ADDRESS  
12 VARIOUS ASPECTS OF COLLEGE READINESS AND SUCCESS, INCLUDING  
13 CONCURRENT ENROLLMENT PROGRAMS AUTHORIZED IN ARTICLE 35 OF

1 THIS TITLE 22; THE ACCELERATING STUDENTS THROUGH CONCURRENT  
2 ENROLLMENT, OR ASCENT, PROGRAM CREATED IN SECTION 22-35-108;  
3 PATHWAYS IN TECHNOLOGY EARLY COLLEGE, OR P-TECH, HIGH SCHOOLS  
4 AUTHORIZED IN PART 1 OF THIS ARTICLE 35.3; AND ADVANCED PLACEMENT  
5 COURSES;

6 (b) EARLY COLLEGES, WHICH ARE EDUCATIONAL OPPORTUNITIES  
7 THAT ENABLE A STUDENT TO SIMULTANEOUSLY EARN A HIGH SCHOOL  
8 DIPLOMA AND COMPLETE A COLLEGE CERTIFICATE OR DEGREE, HAVE  
9 OPERATED IN THE UNITED STATES FOR NEARLY TWO DECADES;

10 (c) EARLY COLLEGE PROGRAMS DIFFER FROM TRADITIONAL  
11 CONCURRENT ENROLLMENT IN THAT EARLY COLLEGES ARE NOT SIMPLY  
12 OPPORTUNITIES FOR STUDENTS TO TAKE COLLEGE-LEVEL COURSES IN HIGH  
13 SCHOOL, BUT RATHER TO ENROLL IN HIGHER EDUCATION AS  
14 DEGREE-SEEKING STUDENTS WHILE ENROLLED IN HIGH SCHOOL;

15 (d) EARLY COLLEGES HAVE ENJOYED IMPRESSIVE OUTCOMES, AND  
16 MANY DEMONSTRATE COLLEGE COMPLETION RATES THAT FAR EXCEED  
17 STATEWIDE OR INSTITUTIONAL AVERAGES;

18 (e) ALTHOUGH EARLY COLLEGES MAY INCREASE COSTS FOR DIRECT  
19 INSTRUCTION IN THE SHORT RUN, IN THE LONG RUN THESE PROGRAMS ARE  
20 GENERALLY MORE EFFICIENT AND EXHIBIT MORE EFFECTIVE USES OF  
21 PUBLIC REVENUES;

22 (f) CURRENTLY, MORE THAN TWO HUNDRED THIRTY EARLY  
23 COLLEGES ACROSS TWENTY-EIGHT STATES, FROM NEW YORK TO TEXAS TO  
24 CALIFORNIA, SERVE EARLY COLLEGE STUDENTS, THE MAJORITY OF WHOM  
25 ARE ELIGIBLE FOR FREE AND REDUCED-PRICE LUNCH AND ARE FROM  
26 COMMUNITIES TRADITIONALLY LESS SUCCESSFUL IN POSTSECONDARY  
27 EDUCATION;

1 (g) COLORADO LAW ALLOWS THE STATE BOARD OF EDUCATION TO  
2 DESIGNATE EARLY COLLEGE HIGH SCHOOLS AND P-TECH SCHOOLS, WHICH  
3 ARE EARLY COLLEGE HIGH SCHOOLS THAT SPAN SIX YEARS, INCLUDE  
4 INDUSTRY PARTNERS, AND PROVIDE STUDENTS WITH AN  
5 INDUSTRY-RECOGNIZED ASSOCIATE DEGREE;

6 (h) COLORADO HAS MORE THAN TWENTY EARLY COLLEGE HIGH  
7 SCHOOLS AND SEVEN P-TECH HIGH SCHOOLS;

8 (i) COLORADO ALSO APPROPRIATES MONEY TO FUND UP TO FIVE  
9 HUNDRED STUDENTS IN THE ASCENT PROGRAM EACH YEAR, WHICH  
10 STUDENTS ARE NOT ENROLLED IN EARLY COLLEGE PROGRAMS;

11 (j) THROUGH THESE PROGRAMS AND THE EXPANSION OF  
12 WORK-BASED LEARNING AND PARTNERSHIPS, ACCORDING TO THE  
13 COLORADO DEPARTMENT OF EDUCATION, NEARLY SIXTEEN THOUSAND  
14 STUDENTS COMPLETED INDUSTRY CREDENTIAL PROGRAMS, WORK-BASED  
15 LEARNING EXPERIENCES, AND QUALIFIED COURSES IN HIGH SCHOOLS  
16 BETWEEN 2016-2019;

17 (k) IMPORTANTLY, ALTHOUGH COLORADO HAS MANY EXAMPLES  
18 OF INNOVATION THROUGH CONCURRENT ENROLLMENT, THE SCALABILITY  
19 OF THESE PROGRAMS, DESPITE THEIR SUCCESS, CAN BE LIMITED DUE TO  
20 LEGAL, GEOGRAPHIC, AND FINANCIAL BARRIERS;

21 (l) IN 2018, THE GENERAL ASSEMBLY PASSED SENATE BILL 18-225,  
22 WHICH DEFINED EARLY COLLEGE PROGRAMS AS THOSE THAT COULD BE  
23 COMPLETED IN FOUR YEARS OR LESS. THIS LEGISLATION EFFECTIVELY  
24 ENDED SEVERAL HIGHLY SUCCESSFUL EARLY COLLEGE MODELS, DESPITE  
25 THE FACT THAT THE STATE CONTINUED TO FUND OTHER FIVE- AND  
26 SIX-YEAR OPTIONS.

27 (m) DESPITE EARNEST EFFORTS TO IMPROVE ACCESS FOR EARLY

1 COLLEGE PROGRAMS IN RURAL AND REMOTE COMMUNITIES, THE MAJORITY  
2 OF EARLY COLLEGE OPPORTUNITIES ARE GENERALLY AVAILABLE TO  
3 STUDENTS IN URBAN AND LARGER SCHOOL DISTRICTS;

4 (n) RECENTLY, THE UNITED STATES DEPARTMENT OF EDUCATION  
5 AUTHORIZED THE USE OF FEDERAL FUNDS TO SUPPORT CONCURRENT  
6 ENROLLMENT AND EARLY COLLEGE COSTS. THESE OPPORTUNITIES INCLUDE  
7 USING PROGRAMS CREATED IN TITLE I AND TITLE IV OF THE  
8 "ELEMENTARY AND SECONDARY EDUCATION ACT OF 1965", 20 U.S.C.  
9 SEC. 6301 ET SEQ., TO PROVIDE FUNDING FOR CONCURRENT ENROLLMENT  
10 COSTS.


11 (o) IN 2009, THE COLORADO P-20 EDUCATION COORDINATING  
12 COUNCIL, A BROAD, BIPARTISAN, STATEWIDE COUNCIL OF EDUCATORS,  
13 BUSINESS EXPERTS, AND ADMINISTRATORS, RECOMMENDED THE  
14 DEVELOPMENT OF THE "CONCURRENT ENROLLMENT PROGRAMS ACT",  
15 ARTICLE 35 OF THIS TITLE 22. THIS LEGISLATION CREATED MUCH OF  
16 CONCURRENT ENROLLMENT AS IT NOW APPEARS IN COLORADO, INCLUDING  
17 THE ASCENT AND EARLY COLLEGE PROGRAMS.

18 (p) AFTER TEN YEARS OF IMPLEMENTATION, THESE CONCURRENT  
19 ENROLLMENT AND EARLY COLLEGE PROGRAMS DEMONSTRATE A PATTERN  
20 OF POSITIVE IMPACTS ON STUDENTS BUT INEQUITABLE ACCESS STATEWIDE,  
21 WHICH IS CAUSED IN PART BY A COMPLICATED AND INTERWOVEN SET OF  
22 ISSUES RELATED TO PROGRAM APPROVAL AND FUNDING. CONSEQUENTLY,  
23 THE STATE SHOULD PROVIDE WELL-INFORMED EDUCATORS,  
24 ADMINISTRATORS, AND POLICY PROFESSIONALS AN OPPORTUNITY TO  
25 CAREFULLY DELIBERATE TO ENSURE THAT SUCCESSFUL, HIGH-PERFORMING  
26 PROGRAMS ARE NOT ADVERSELY IMPACTED WHILE STRATEGIES ARE  
27 DESIGNED TO ENABLE INNOVATION AND MORE EQUITABLE ACCESS TO

1 EARLY COLLEGE PROGRAMS FOR STUDENTS IN RURAL COMMUNITIES IN THE  
2 STATE.

3 (2) THE GENERAL ASSEMBLY FINDS, THEREFORE, THAT IT IS  
4 NECESSARY TO DIRECT THE COMMISSIONER OF EDUCATION TO CONVENE AN  
5 EARLY COLLEGE POLICY DEVELOPMENT TASK FORCE TO DEVELOP AND  
6 RECOMMEND NEW STATE LAWS TO SUPPORT THE EQUITABLE AND  
7 SUSTAINABLE EXPANSION OF EARLY COLLEGE PROGRAM AND P-TECH  
8 SCHOOL OPPORTUNITIES TO ALL REGIONS OF THE STATE AND TO  
9 RE-ESTABLISH COLORADO AS A LEADER IN EDUCATION INNOVATION IN THE  
10 NATION.

11 **22-35.3-202. Definitions.** AS USED IN THIS PART 2, UNLESS THE  
12 CONTEXT OTHERWISE REQUIRES:

13   
14 (1) "ASCENT PROGRAM" MEANS THE ACCELERATING STUDENTS  
15 THROUGH CONCURRENT ENROLLMENT PROGRAM CREATED IN SECTION  
16 22-35-108.

17 (2) "COMMISSIONER" MEANS THE COMMISSIONER OF EDUCATION  
18 APPOINTED BY THE STATE BOARD OF EDUCATION PURSUANT TO SECTION  
19 1 OF ARTICLE IX OF THE STATE CONSTITUTION.

20 (3) "EARLY COLLEGE PROGRAM" MEANS AN EDUCATIONAL  
21 PROGRAM THAT ENABLES A STUDENT TO SIMULTANEOUSLY EARN A HIGH  
22 SCHOOL DIPLOMA AND COMPLETE A POSTSECONDARY CERTIFICATE OR  
23 DEGREE.

24 (4) "EDUCATION LEADERSHIP COUNCIL" MEANS THE GOVERNOR'S  
25 EDUCATION LEADERSHIP COUNCIL CREATED BY EXECUTIVE ORDER B  
26 2017-001.

27 (5) "P-TECH SCHOOL" MEANS A PATHWAYS IN TECHNOLOGY EARLY

1 COLLEGE HIGH SCHOOL, OR PROGRAM WITHIN A HOST SCHOOL, THAT IS  
2 APPROVED PURSUANT TO PART 1 OF THIS ARTICLE 35.3.

3 (6) "RURAL SCHOOL DISTRICT" MEANS A SCHOOL DISTRICT IN  
4 COLORADO THAT THE DEPARTMENT OF EDUCATION DETERMINES IS RURAL  
5 BASED ON THE GEOGRAPHIC SIZE OF THE SCHOOL DISTRICT AND THE  
6 DISTANCE OF THE SCHOOL DISTRICT FROM THE NEAREST LARGE,  
7 URBANIZED AREA.

8 (7) "TASK FORCE" MEANS THE EARLY COLLEGE POLICY  
9 DEVELOPMENT TASK FORCE CONVENED BY THE COMMISSIONER PURSUANT  
10 TO SECTION 22-35.3-203.

11 **22-35.3-203. Early college policy development task force.**

12 (1) NO LATER THAN JULY 1, 2020, THE COMMISSIONER SHALL CONVENE  
13 THE EARLY COLLEGE POLICY DEVELOPMENT TASK FORCE. THE TASK FORCE  
14 MEMBERSHIP CONSISTS OF:

15 (a) THE COMMISSIONER OR THE COMMISSIONER'S DESIGNEE;

16 (b) THE EXECUTIVE DIRECTOR OF THE DEPARTMENT OF HIGHER  
17 EDUCATION OR THE EXECUTIVE DIRECTOR'S DESIGNEE; AND

18 (c) THE FOLLOWING INDIVIDUALS SELECTED BY THE  
19 COMMISSIONER:

20 (I) INDIVIDUALS WHO ARE SERVING ON THE EDUCATION  
21 LEADERSHIP COUNCIL;

22 (II) TWO TEACHERS EMPLOYED IN PUBLIC SCHOOLS IN COLORADO,  
23 AT LEAST ONE OF WHOM HOLDS A LICENSE ISSUED PURSUANT TO SECTION  
24 22-60.5-201, WHO BOTH HAVE EXPERIENCE IN CONCURRENT ENROLLMENT  
25 PROGRAMMING; AND

26 (III) TWO SCHOOL DISTRICT ADMINISTRATORS WHO BOTH HAVE  
27 EXPERIENCE IN CONCURRENT ENROLLMENT PROGRAMMING.

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(2) THE COMMISSIONER OR THE COMMISSIONER'S DESIGNEE SHALL SERVE AS CHAIR OF THE TASK FORCE. THE TASK FORCE SHALL MEET AT THE CALL OF THE CHAIR AT LEAST FOUR TIMES FROM JULY 2020 THROUGH DECEMBER 2020 AND AT LEAST FOUR TIMES FROM MAY 2021 THROUGH DECEMBER 2021. THE TASK FORCE IS A STATE PUBLIC BODY FOR PURPOSES OF SECTION 24-6-402, AND MEETINGS OF THE TASK FORCE ARE SUBJECT TO THE REQUIREMENTS OF SAID SECTION. THE TASK FORCE IS SUBJECT TO THE PROVISIONS OF THE "COLORADO OPEN RECORDS ACT", PART 2 OF ARTICLE 72 OF TITLE 24.

(3) THE TASK FORCE MEMBERS SERVE WITHOUT COMPENSATION BUT MAY BE REIMBURSED FOR EXPENSES DIRECTLY RELATING TO THEIR SERVICE ON THE TASK FORCE.

(4) THE DEPARTMENT OF EDUCATION AND THE DEPARTMENT OF HIGHER EDUCATION SHALL PROVIDE TO THE TASK FORCE STAFF SUPPORT AND MEETING SPACE UPON REQUEST OF THE CHAIR.

**22-35.3-204. Task force duties - report.** (1) THE TASK FORCE SHALL:


(a) COORDINATE WITH THE EDUCATION LEADERSHIP COUNCIL IN COMPLETING ITS DUTIES;

(b) DESIGN AND RECOMMEND COMPREHENSIVE, UNIFORM POLICIES THAT ENABLE HIGH SCHOOLS AND POSTSECONDARY INSTITUTIONS TO CREATE AND SUSTAIN EARLY COLLEGE PROGRAMS IN EVERY REGION OF THE STATE. THE TASK FORCE MUST DESIGN THE POLICY RECOMMENDATIONS TO ENABLE ALL HIGH SCHOOLS TO PROVIDE EARLY COLLEGE PROGRAMS THAT ARE FOUR-YEAR PROGRAMS, ENCOMPASSING GRADES NINE THROUGH TWELVE; FIVE-YEAR PROGRAMS, ENCOMPASSING



1 GRADES NINE THROUGH THIRTEEN; OR SIX-YEAR PROGRAMS,  
2 ENCOMPASSING GRADES NINE THROUGH FOURTEEN. IN DESIGNING  
3 COMPREHENSIVE, UNIFORM POLICIES FOR FOUR-, FIVE-, AND SIX-YEAR  
4 EARLY COLLEGE PROGRAMS, THE TASK FORCE SHALL ADDRESS THE WAYS  
5 IN WHICH EXISTING STATUTES AND RULES MUST BE MODIFIED, COMBINED,  
6 OR REPEALED TO ACCOMPLISH THE GOAL OF ENSURING ACCESS TO EARLY  
7 COLLEGE PROGRAMS IN ALL REGIONS OF THE STATE.

8 (c) TAKING INTO ACCOUNT ALL EXISTING AND POTENTIAL FUNDING  
9 SOURCES, DESIGN POLICY RECOMMENDATIONS THAT CREATE A UNIFORM  
10 AND COMPREHENSIVE FUNDING MECHANISM FOR EARLY COLLEGE  
11 PROGRAMS AND P-TECH SCHOOLS. THE POLICY RECOMMENDATIONS MUST  
12 ADDRESS IMPLICATIONS FOR EXISTING CONCURRENT ENROLLMENT  
13 PROGRAMS, INCLUDING THE ASCENT PROGRAM.

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15 (d) RECOMMEND CHARACTERISTICS OF AND STANDARDS FOR  
16 EARLY COLLEGE PROGRAMS, DISTINGUISHING AMONG FOUR-, FIVE-, AND  
17 SIX-YEAR EARLY COLLEGE PROGRAMS, FOR PURPOSES OF AUTHORIZING  
18 AND MEASURING THE PERFORMANCE OF THE EARLY COLLEGE PROGRAMS.  
19 THE CHARACTERISTICS AND STANDARDS MUST ALLOW HIGH SCHOOLS OF  
20 ALL SIZES AND FROM EVERY REGION IN THE STATE TO DEMONSTRATE  
21 EARLY COLLEGE PROGRAM QUALITY, REGARDLESS OF THE SIZE OF THE  
22 SCHOOL. ADDITIONALLY, THE CHARACTERISTICS AND STANDARDS MUST  
23 PROVIDE FLEXIBILITY TO ALLOW HIGH SCHOOLS TO SHORTEN OR LENGTHEN  
24 THE DURATION OF THE SCHOOL'S EARLY COLLEGE PROGRAMS, AS THE  
25 SCHOOL DEEMS APPROPRIATE, AMONG FOUR-, FIVE-, AND SIX-YEAR EARLY  
26 COLLEGE PROGRAMS.

27 (2) IN COMPLETING ITS DUTIES, THE TASK FORCE SHALL SOLICIT

1 INPUT FROM EMPLOYERS THAT WORK WITH P-TECH SCHOOLS, TEACHERS  
2 WHO WORK IN EARLY COLLEGE PROGRAMS OR P-TECH SCHOOLS, AND  
3 REPRESENTATIVES OF SCHOOL DISTRICTS, CHARTER SCHOOLS, BOARDS OF  
4 COOPERATIVE SERVICES, AND POSTSECONDARY INSTITUTIONS FROM  
5 AROUND THE STATE WHO HAVE EXPERTISE IN EARLY COLLEGE PROGRAMS  
6 AND P-TECH SCHOOLS.

7 (3) THE TASK FORCE SHALL PREPARE AN INTERIM WRITTEN REPORT  
8 AND A FINAL WRITTEN REPORT OF ITS FINDINGS AND RECOMMENDATIONS  
9 WITH REGARD TO THE ISSUES DESCRIBED IN SUBSECTION (1) OF THIS  
10 SECTION AND SUBMIT THE REPORTS TO THE GOVERNOR, THE EDUCATION  
11 LEADERSHIP COUNCIL, THE STATE BOARD OF EDUCATION, THE COLORADO  
12 COMMISSION ON HIGHER EDUCATION, AND THE EDUCATION COMMITTEES  
13 OF THE SENATE AND THE HOUSE OF REPRESENTATIVES, OR ANY SUCCESSOR  
14 COMMITTEES. THE TASK FORCE SHALL SUBMIT THE INTERIM WRITTEN  
15 REPORT ON OR BEFORE DECEMBER 1, 2020, AND THE FINAL WRITTEN  
16 REPORT ON OR BEFORE DECEMBER 1, 2021.

17 **22-35.3-205. Legislative advisory council - created.** THERE IS  
18 HEREBY CREATED A LEGISLATIVE ADVISORY COUNCIL CONSISTING OF  
19 LEGISLATORS APPOINTED, ONE EACH, BY THE SPEAKER AND THE MINORITY  
20 LEADER OF THE HOUSE OF REPRESENTATIVES AND THE PRESIDENT AND THE  
21 MINORITY LEADER OF THE SENATE. THE LEGISLATIVE ADVISORY COUNCIL  
22 SHALL PROVIDE ADVICE AND COMMENT TO THE TASK FORCE AND ACT AS  
23 LIAISONS BETWEEN THE GENERAL ASSEMBLY AND THE TASK FORCE.

24 **22-35.3-206. Early college programs - funding.** (1) BEGINNING  
25 IN THE 2020-21 SCHOOL YEAR, A LOCAL EDUCATION PROVIDER, AS  
26 DEFINED IN SECTION 22-35-103, MAY ENROLL A STUDENT FOR A FIFTH  
27 YEAR OF PARTICIPATION IN THE LOCAL EDUCATION PROVIDER'S EARLY

1 COLLEGE PROGRAM IF THE LOCAL EDUCATION PROVIDER, IN PARTNERSHIP  
2 WITH AN INSTITUTION OF HIGHER EDUCATION AS DEFINED IN SECTION  
3 22-35-103, RECEIVES SUFFICIENT FINANCIAL RESOURCES IN THE FORM OF  
4 GIFTS, GRANTS, DONATIONS, OR FUNDING THROUGH THE STATE FINANCIAL  
5 ASSISTANCE PROGRAM PURSUANT TO SECTION 23-3.3-102 TO PAY FOR THE  
6 STUDENT'S TUITION, FEES, BOOKS, AND MATERIALS REQUIRED FOR  
7 PARTICIPATION IN THE EARLY COLLEGE PROGRAM. THE LOCAL EDUCATION  
8 PROVIDER SHALL NOT INCLUDE THE FIFTH-YEAR STUDENT IN THE LOCAL  
9 EDUCATION PROVIDER'S PUPIL ENROLLMENT, AS DEFINED SECTION  
10 22-54-103.

11 (2) NOTWITHSTANDING THE PROVISIONS OF SUBSECTION (1) OF  
12 THIS SECTION TO THE CONTRARY, THIS SECTION DOES NOT APPLY TO A  
13 LOCAL EDUCATION PROVIDER IF:

14 (a) THE FIFTH-YEAR STUDENT PARTICIPATES IN THE ACCELERATING  
15 STUDENTS THROUGH CONCURRENT ENROLLMENT PROGRAM PURSUANT TO  
16 SECTION 22-35-108;

17 (b) THE LOCAL EDUCATION PROVIDER IS A P-TECH SCHOOL; OR

18 (c) SECTION 22-54-103 (10)(g) APPLIES TO THE LOCAL EDUCATION  
19 PROVIDER.

20 **22-35.3-207. Repeal of part.** THIS PART 2 IS REPEALED, EFFECTIVE  
21 JANUARY 1, 2022.

22 **SECTION 2.** In Colorado Revised Statutes, 22-35-114, **add** (1.5)  
23 and (4)(b.5) as follows:

24 **22-35-114. Concurrent enrollment expansion and innovation**  
25 **grant program - created - report - rules.** (1.5) (a) IN ADDITION TO THE  
26 PURPOSES SPECIFIED IN SUBSECTION (1) OF THIS SECTION, THE GRANT  
27 PROGRAM MAY PROVIDE GRANTS TO OFFSET THE COSTS INCURRED IN

1 OPERATING EARLY COLLEGE PROGRAMS OR P-TECH SCHOOLS OR IN  
2 PROVIDING OTHER CONCURRENT ENROLLMENT PROGRAMMING AS  
3 DESCRIBED IN SUBSECTION (1.5)(c) OF THIS SECTION.

4 (b) NOTWITHSTANDING ANY PROVISION OF SUBSECTION (1) OF THIS  
5 SECTION TO THE CONTRARY, A PARTNERSHIP APPLYING FOR A GRANT  
6 PURSUANT TO THIS SUBSECTION (1.5) IS NOT REQUIRED TO INCLUDE THE  
7 INFORMATION SPECIFIED IN SUBSECTIONS (1)(b), (1)(d), AND (1)(e) OF THIS  
8 SECTION, BUT MUST IDENTIFY FROM AMONG THE PURPOSES SPECIFIED IN  
9 SUBSECTION (1.5)(c) OF THIS SECTION THE PURPOSE OR PURPOSES FOR  
10 WHICH THE PARTNERSHIP IS REQUESTING A GRANT.

11 (c) THE STATE BOARD MAY AWARD GRANTS FOR THE FOLLOWING  
12 PURPOSES TO PARTNERSHIPS THAT APPLY PURSUANT TO THIS SUBSECTION  
13 (1.5):

14 (I) REIMBURSEMENT FOR THE DIRECT EXPENSES INCURRED IN  
15 PROVIDING ANY FORM OF DUAL ENROLLMENT PROGRAM, INCLUDING  
16 TUITION, FEES, BOOKS, AND MATERIALS;

17 (II) REIMBURSEMENT FOR THE DIRECT COSTS OF PROVIDING AN  
18 EARLY COLLEGE PROGRAM AS DEFINED IN SECTION 22-35.3-201, DUAL  
19 ENROLLMENT THROUGH A P-TECH SCHOOL, OR CONCURRENT ENROLLMENT  
20 DURING A SUMMER ACADEMIC TERM;

21 (III) EXPANSION OF THE AVAILABILITY OF EARLY COLLEGE  
22 PROGRAMS AND P-TECH SCHOOLS;

23 (IV) EXPANSION OF WORK-BASED LEARNING OPPORTUNITIES,  
24 INCLUDING APPRENTICESHIPS AND INDUSTRY-RECOGNIZED CERTIFICATE  
25 PROGRAMS; AND

26 (V) OTHER USES SPECIFIED JOINTLY BY THE STATE BOARD OF  
27 EDUCATION AND THE COLORADO COMMISSION ON HIGHER EDUCATION

1 DIRECTLY RELATED TO PROVIDING OPPORTUNITIES FOR HIGH SCHOOL  
2 STUDENTS TO ENROLL IN POSTSECONDARY COURSES.

3 (d) NOTWITHSTANDING THE PROVISIONS OF SUBSECTION (2) OF  
4 THIS SECTION, IN SELECTING PARTNERSHIPS TO RECEIVE GRANTS  
5 PURSUANT TO THIS SUBSECTION (1.5), THE STATE BOARD NEED NOT  
6 CONSIDER THE CRITERIA SPECIFIED IN SUBSECTION (2) OF THIS SECTION,  
7 BUT SHALL AWARD GRANTS TO THOSE APPLICANTS THAT DEMONSTRATE  
8 THE GREATEST DEGREE OF FINANCIAL NEED OR APPLICANTS THAT  
9 PROVIDED PROGRAMS THAT WERE DESIGNATED AS EARLY COLLEGES BY  
10 THE STATE BOARD AS OF JUNE 6, 2018, BUT FOR WHICH THE DESIGNATION  
11 WAS SUBJECT TO REVIEW AS PROVIDED IN SECTION 22-35-103 (10)(b).

12 (4) (b.5) FOR THE 2020-21 BUDGET YEAR AND EACH BUDGET YEAR  
13 THEREAFTER, THE GENERAL ASSEMBLY SHALL ANNUALLY APPROPRIATE TO  
14 THE DEPARTMENT AT LEAST THREE HUNDRED THOUSAND DOLLARS TO  
15 DISTRIBUTE AS GRANTS SOLELY FOR THE PURPOSES SPECIFIED IN  
16 SUBSECTION (1.5) OF THIS SECTION, AND THE DEPARTMENT SHALL NOT  
17 AWARD GRANTS FOR THE PURPOSES SPECIFIED IN SUBSECTION (1.5) OF THIS  
18 SECTION FROM MONEY APPROPRIATED TO THE DEPARTMENT FOR GRANTS  
19 PURSUANT TO THIS SECTION THAT IS IN ADDITION TO THE MONEY  
20 APPROPRIATED PURSUANT TO THIS SUBSECTION (4)(b.5).

21

22 **SECTION 3.** In Colorado Revised Statutes, 23-3.3-101, **amend**  
23 (2) as follows:

24 **23-3.3-101. Definitions.** As used in this article 3.3, unless the  
25 context otherwise requires:

26 (2) "In-state student" means a student ENROLLED at an institution  
27 of higher education who meets the criteria established by article 7 of this

1 ~~title~~ TITLE 23 for classification as an in-state student at a state institution  
2 of higher education, ~~but~~ OR ENROLLED IN ONE OR MORE POSTSECONDARY  
3 COURSES FOR POSTSECONDARY CREDIT WHILE THE STUDENT IS STILL  
4 ENROLLED IN HIGH SCHOOL; EXCEPT THAT "in-state student" does not  
5 include a member of the armed forces of the United States or his OR HER  
6 dependents who are eligible to obtain in-state tuition status upon moving  
7 to Colorado on a permanent change-of-station basis until such individual  
8 meets the one-year domicile requirement of section 23-7-102 (5).

9 **SECTION 4.** In Colorado Revised Statutes, 23-3.3-102, **amend**  
10 **(3)** as follows:

11 **23-3.3-102. Assistance program authorized - procedure -**  
12 **audits.** (3) (a) Each state institution shall administer a financial  
13 assistance program according to policies and procedures established by  
14 the governing board of the institution. Each private institution of higher  
15 education, as defined in section 23-18-102 (9), that participates in the  
16 program of financial assistance established pursuant to this section shall  
17 administer a financial assistance program according to policies and  
18 procedures established by the governing board of the institution. Each  
19 participating nonpublic institution that is not a private institution of  
20 higher education shall administer a financial assistance program  
21 according to policies and procedures established by the commission. Each  
22 institution shall fund its assistance program using state ~~moneys~~ MONEY  
23 allocated to the institution and institutional ~~moneys~~ MONEY.

24 (b) AN ELIGIBLE INSTITUTION THAT INTENDS TO USE STATE MONEY  
25 TO PROVIDE FINANCIAL ASSISTANCE TO A STUDENT WHO IS ENROLLED IN  
26 HIGH SCHOOL AND ENROLLED IN ONE OR MORE POSTSECONDARY COURSES  
27 FOR POSTSECONDARY COURSE CREDIT MUST SUBMIT AN AFFIRMATION OF

1 INTENT TO THE DEPARTMENT OF HIGHER EDUCATION ON OR BEFORE JULY  
2 1 OF THE ACADEMIC YEAR IN WHICH THE INSTITUTION INTENDS TO PROVIDE  
3 THE FINANCIAL ASSISTANCE. IN THE AFFIRMATION OF INTENT, THE  
4 INSTITUTION SHALL CONFIRM THAT IT WILL AWARD FINANCIAL ASSISTANCE  
5 ONLY TO SUCH STUDENTS WHO DEMONSTRATE FINANCIAL NEED BASED ON  
6 ELIGIBILITY FOR FREE OR REDUCED-PRICE MEALS PURSUANT TO THE  
7 FEDERAL "RICHARD B. RUSSELL NATIONAL SCHOOL LUNCH ACT", 42  
8 U.S.C. SEC. 1751 ET SEQ., OR BASED ON INFORMATION PROVIDED IN THE  
9 STUDENT'S COMPLETED FREE APPLICATION FOR FEDERAL STUDENT AID.

10 SECTION 5. In Colorado Revised Statutes, 22-35-103, **amend**  
11 (6)(b)(III) as follows:

12 22-35-103. **Definitions.** As used in this article 35, unless the  
13 context otherwise requires:

14 (6) (b) "Concurrent enrollment" does not include a student's  
15 simultaneous enrollment in:

16 (III) A p-tech school, as defined in section 22-35.3-102, and a  
17 postsecondary course, which enrollment is subject to the provisions of  
18 PART 1 OF article 35.3 of this title 22; or

19 SECTION 6. In Colorado Revised Statutes, 22-35.3-102, **amend**  
20 the introductory portion and (10) as follows:

21 22-35.3-102. **Definitions.** As used in this ~~article 35.3~~ PART 1,  
22 unless the context otherwise requires:

23 (10) "P-tech school" means a pathways in technology early college  
24 high school or program within a host school that is approved pursuant to  
25 this ~~article 35.3~~ PART 1.

26 SECTION 7. In Colorado Revised Statutes, 22-54-103, **amend**  
27 (5.2), (9.7), and (10)(e.5)(I) as follows:

1           **22-54-103. Definitions.** As used in this article 54, unless the  
2 context otherwise requires:

3           (5.2) "District extended high school pupil enrollment" means the  
4 number of pupils, on the pupil enrollment count day within the applicable  
5 budget year, who are concurrently enrolled in a postsecondary course,  
6 including an academic course or a career and technical education course,  
7 as a participant in the ASCENT program and the number of pupils, on the  
8 pupil enrollment count day within the applicable budget year, who are  
9 enrolled in grade thirteen or fourteen in a p-tech school. A pupil enrolled  
10 in a p-tech school pursuant to PART 1 OF article 35.3 of this ~~title~~ TITLE 22  
11 shall be included in the district extended high school pupil enrollment as  
12 a full-time student. An ASCENT program participant who is enrolled in  
13 at least twelve credit hours of postsecondary courses, including academic  
14 courses and career and technical education courses, as of the pupil  
15 enrollment count day of the applicable budget year shall be included in  
16 the district extended high school pupil enrollment as a full-time pupil. An  
17 ASCENT program participant who is enrolled in less than twelve credit  
18 hours of postsecondary courses, including academic courses and career  
19 and technical education courses, as of the pupil enrollment count day of  
20 the applicable budget year shall be included in the district extended high  
21 school pupil enrollment as a part-time pupil.

22           (9.7) "P-tech school" means a pathways in technology early  
23 college high school that is approved pursuant to PART 1 OF article 35.3 of  
24 this ~~title~~ TITLE 22.

25           (10) (e.5) (I) A pupil who is enrolled as less than a full-time  
26 student, other than a student described in subsection (10)(b)(II) or (10)(d)  
27 of this section or a student enrolled in a p-tech school pursuant to PART 1



1 OF article 35.3 of this title 22, is counted in accordance with rules  
2 promulgated by the state board for students who are enrolled as less than  
3 full-time students.

4 **SECTION 8.** In Colorado Revised Statutes, 23-18-102, **amend**  
5 (5)(a)(I.5) as follows:

6 **23-18-102. Definitions.** As used in parts 1 and 2 of this article 18,  
7 unless the context otherwise requires:

8 (5) (a) "Eligible undergraduate student" means:

9 (I.5) A student who is enrolled at a state institution of higher  
10 education as part of a pathways in technology early college high school  
11 that is approved as provided in PART 1 OF article 35.3 of title 22 ~~C.R.S.~~,  
12 and who is classified as an in-state student for tuition purposes; or

13 **SECTION 9.** In Colorado Revised Statutes, 23-18-202, **amend**  
14 (2)(b)(II), (5)(c)(III), and (5)(f) as follows:

15 **23-18-202. College opportunity fund - appropriations -**  
16 **payment of stipends - reimbursement - report.** (2) (b) (II) If the  
17 student is enrolled in a pathways in technology early college high school  
18 pursuant to PART 1 OF article 35.3 of title 22, the p-tech school is  
19 responsible for paying the student's share of total in-state tuition, if any.

20 (5) (c) (III) For an eligible undergraduate student who has  
21 completed one or more college courses while enrolled in high school  
22 pursuant to the "Concurrent Enrollment Programs Act", article 35 of title  
23 22, or while designated by the department of education as an ASCENT  
24 program participant pursuant to section 22-35-108, or while enrolled in  
25 a pathways in technology early college high school pursuant to PART 1 OF  
26 article 35.3 of title 22, all college-level credit hours earned by the student  
27 while so enrolled count against the lifetime limitation described in

1 subsection (5)(c)(I) of this section; except that credit hours earned from  
2 enrollment in a developmental education course, as defined in section  
3 23-1-113 (11)(b), do not count against the lifetime limitation.

4 (5) (f) Notwithstanding the lifetime-credit-hour limitation  
5 established pursuant to ~~paragraph (c) of this subsection (5)~~ SUBSECTION  
6 (5)(c) OF THIS SECTION and in addition to the provisions of ~~paragraph (c)~~  
7 ~~of this subsection (5)~~ SUBSECTION (5)(e) OF THIS SECTION, a state  
8 institution of higher education may annually grant a one-year waiver of  
9 the lifetime-credit-hour limitation for up to five percent of the eligible  
10 undergraduate students enrolled in the state institution of higher  
11 education. In granting the waivers under this ~~paragraph (f)~~ SUBSECTION  
12 (5)(f), the state institution of higher education shall, upon request, grant  
13 a waiver to an eligible undergraduate student for courses taken pursuant  
14 to the "Concurrent Enrollment Programs Act", article 35 of title 22,  
15 ~~€R.S.~~, or for courses taken while enrolled in a pathways in technology  
16 early college high school pursuant to PART 1 OF article 35.3 of title 22.  
17 ~~€R.S.~~ For any remaining portion of the institution's five percent of  
18 eligible undergraduate students who may receive waivers, the institution  
19 shall give priority to students who are seeking job retraining.

20 **SECTION 10. Safety clause.** The general assembly hereby finds,  
21 determines, and declares that this act is necessary for the immediate  
22 preservation of the public peace, health, or safety.