

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

REREVISED

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

LLS NO. 23-0714.01 Amber Paoloemilio x5497

SENATE BILL 23-086

SENATE SPONSORSHIP

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Senate Committees

Education
Appropriations

House Committees

Education
Appropriations

HOUSE
3rd Reading Unamended
April 17, 2023

A BILL FOR AN ACT

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

HOUSE
2nd Reading Unamended
April 14, 2023

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>.)

SENATE
3rd Reading Unamended
February 22, 2023

The bill continues the Colorado student leaders institute program and changes responsibility for the program from the department of higher education to the department of education. The change shifts oversight of the program from a governor-appointed executive board to the state board of education.

SENATE
Amended 2nd Reading
February 21, 2023

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

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

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

4 **22-106-101. [Formerly 23-77-101] Legislative declaration.**

5 (1) The general assembly finds that:

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

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

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

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

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

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

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

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

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

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

17 **22-106-102. [Formerly 23-77-102] Definitions.** As used in this
18 ~~article 77~~ ARTICLE 106, unless the context otherwise requires:

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

21 (2) (1) "Host institution" means the institution of higher
22 education that the department of ~~higher~~ education contracts with on
23 behalf of the ~~executive~~ STATE board OF EDUCATION pursuant to ~~section~~
24 ~~23-77-104~~ SECTION 22-106-104 to operate the institute.

25 (3) (2) "Institute" means the Colorado student leaders institute
26 ~~created in section 23-77-103~~ SECTION 22-106-103.

27 **22-106-103. [Formerly 23-77-103] Colorado student leaders**

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

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

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

16 (II) International social studies.

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

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

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

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

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

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

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

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

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

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

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

1 students to participate in the institute.

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

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

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

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

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

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

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

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

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

1 ~~(c) Repealed.~~

2 ~~(3) (1) The executive STATE board OF EDUCATION WHEN~~
3 ~~OPERATING THE STUDENT LEADERS INSTITUTE has the following duties and~~
4 ~~powers:~~

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

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

14 ~~(A) Are eligible for free or reduced-price lunch pursuant to the~~
15 ~~federal "Richard B. Russell National School Lunch Act", 42 U.S.C. sec.~~
16 ~~1751 et seq.; or~~

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

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

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

27 (b) (I) The department of **higher** education, on behalf of the

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

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

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

19 (B) Review applications received from students and recommend
20 participants to the executive board; AND ANNUALLY SELECT STUDENTS TO
21 PARTICIPATE IN THE INSTITUTE. IN REVIEWING APPLICATIONS AND
22 SELECTING STUDENTS TO PARTICIPATE IN THE INSTITUTE, THE HOST
23 INSTITUTION MUST ENSURE THAT AT LEAST FIFTY PERCENT OF THE
24 STUDENTS SELECTED TO ATTEND THE INSTITUTE EACH YEAR ARE ELIGIBLE
25 FOR FREE OR REDUCED-PRICE LUNCH PURSUANT TO THE FEDERAL
26 "RICHARD B. RUSSELL NATIONAL SCHOOL LUNCH ACT", 42 U.S.C. SEC.
27 1751 ET SEQ., OR WOULD BE THE FIRST IN THEIR IMMEDIATE FAMILIES TO

1 ATTEND AN INSTITUTION OF HIGHER EDUCATION; THAT THE STUDENTS
2 WHO ARE SELECTED RESIDE IN AREAS THROUGHOUT THE STATE AND
3 REPRESENT GENDER, ETHNIC, RACIAL, AND SOCIOECONOMIC DIVERSITY OF
4 THE STATE; THAT THE STUDENTS REPRESENT THE EDUCATIONAL PROGRAM
5 OPTIONS AVAILABLE THROUGHOUT THE STATE; AND THAT THE STUDENTS
6 DEMONSTRATE THROUGH THEIR INDIVIDUAL CAREER AND ACADEMIC
7 PLANS A COMMITMENT TO CONTINUING POSTSECONDARY EDUCATION
8 AFTER HIGH SCHOOL GRADUATION.

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

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

13 (E) Provide living and eating facilities for students who
14 participate in the institute; AND

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

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

25 (d) Beginning in ~~the 2017 regular legislative session~~ 2024, the
26 ~~executive board~~ HOST INSTITUTION shall annually report to THE STATE
27 BOARD AND the education committees of the house of representatives and

1 the senate, or any successor committees, the ~~executive board's~~ HOST
2 INSTITUTION'S progress and success in implementing the institute. The
3 ~~executive board~~ HOST INSTITUTION must, at a minimum, report the success
4 of the institute as measured by the enrollment and progress of institute
5 alumni in postsecondary educational programs.

6 **22-106-105. [Formerly 23-77-105] Colorado student leaders**
7 **institute - funding - cash fund created - repeal.** (1) (a) The general
8 assembly shall annually appropriate money to the department of higher
9 education for the institute to pay the direct and indirect costs that the
10 ~~executive~~ STATE board OF EDUCATION incurs in operating the institute,
11 including costs relating to the host institution and stipends for the institute
12 faculty members.

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

19 (2) (a) In addition to the amount appropriated pursuant to
20 subsection (1) of this section, the ~~executive~~ STATE board OF EDUCATION
21 ~~with the assistance of an advisory board if appointed,~~ may solicit, accept,
22 and expend public or private gifts, grants, or donations to implement the
23 institute. The ~~executive~~ STATE board OF EDUCATION shall transmit any
24 money that it receives pursuant to this subsection (2)(a) and any money
25 it receives from participating students to the state treasurer. The state
26 treasurer shall deposit the money in the Colorado student leaders institute
27 cash fund, referred to in this section as the "cash fund", which is created

1 in the state treasury. Annual operation of the institute is conditional upon
2 receiving at least forty thousand dollars in gifts, grants, or donations by
3 June 1 of each year.

4 (b) The money in the cash fund is continuously appropriated to the
5 ~~executive~~ STATE board OF EDUCATION for the direct and indirect costs
6 incurred in implementing the institute. The state treasurer may invest as
7 provided by law any money in the cash fund that is not expended for the
8 purposes of this ~~article 77~~ ARTICLE 106. The state treasurer shall credit to
9 the cash fund all interest and income derived from the investment and
10 deposit of money in the cash fund. Any unexpended and unencumbered
11 money remaining in the cash fund at the end of a fiscal year ~~must remain~~
12 REMAINS in the cash fund and ~~shall~~ IS not ~~be~~ credited to another fund.
13 ~~except that the state treasurer shall credit any unexpended and~~
14 ~~unencumbered money remaining in the fund as of June 30, 2024, to the~~
15 ~~state education fund created in section 17 (4) of article IX of the state~~
16 ~~constitution.~~

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

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

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

26 **SECTION 3. Transfer of appropriation.** Any appropriation
27 made in the annual general appropriation act for the 2023-24 state fiscal

1 year to the department of higher education for the Colorado student
2 leaders institute is hereby transferred to the department of education to
3 implement this act.

4 **SECTION 4. Appropriation.** For the 2023-24 state fiscal year,
5 \$8,184 is appropriated to the department of education. This appropriation
6 is from the general fund and is based on an assumption that the
7 department will require an additional 0.1 FTE. To implement this act, the
8 department may use this appropriation for the Colorado student leaders
9 institute.

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

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