

Second Regular Session  
Sixty-eighth General Assembly  
STATE OF COLORADO

INTRODUCED

LLS NO. 12-0730.01 Jane Ritter x4342

SENATE BILL 12-106

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SENATE SPONSORSHIP

King K.,

HOUSE SPONSORSHIP

(None),

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Senate Committees  
Education

House Committees

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A BILL FOR AN ACT

101 CONCERNING EDUCATION.

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://www.leg.state.co.us/billsummaries>.)*

The bill adds a fourth performance indicator for school and workforce readiness to reflect the number of students who, upon enrollment in an institution of higher education, require remediation course work.

Early colleges are added to those institutions that have a guaranteed transfer of core course credits to public institutions of higher education, provided they meet the requirements established by the

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

department of higher education. Early colleges that have been accredited by the department of higher education are granted the authority to award degrees.

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

2 **SECTION 1.** In Colorado Revised Statutes, 22-11-204, **amend**  
3 (4) as follows:

4 **22-11-204. Performance indicators - measures.** (4) The  
5 department shall determine the level of attainment of each public high  
6 school, each school district, the institute, and the state as a whole on the  
7 postsecondary and workforce readiness indicator by using, at a minimum,  
8 the following measures:

9 (a) For each public high school, the department shall calculate:

10 (I) The percentages of students enrolled in the eleventh grade in  
11 the public high school who score at each achievement level on the  
12 standardized, curriculum-based, achievement, college entrance  
13 examination administered as a statewide assessment or the percentages of  
14 students enrolled in each of the grade levels included in the public high  
15 school who score at each achievement level on the postsecondary and  
16 workforce readiness assessments administered by the public high school;

17 (II) Beginning with the 2011-12 school year and for each school  
18 year thereafter, the percentage of students graduating from the public high  
19 school who receive a diploma that includes a postsecondary and  
20 workforce readiness endorsement as described in section 22-7-1009 (1)  
21 and the percentage who receive a diploma that includes an endorsement  
22 for exemplary demonstration of postsecondary and workforce readiness  
23 as described in section 22-7-1009 (2); ~~and~~

24 (III) The graduation and dropout rates, as defined by rule of the

1 state board; AND

2 (IV) THE NUMBER OF STUDENTS WHO, UPON ENROLLMENT IN AN  
3 INSTITUTION OF HIGHER EDUCATION, NEED REMEDIATION COURSE WORK,  
4 AS REPORTED BY THE DEPARTMENT OF HIGHER EDUCATION PURSUANT TO  
5 SECTION 23-1-113, C.R.S.

6 (b) For each school district and the institute, the department shall  
7 calculate:

8 (I) The overall percentages of students enrolled in the eleventh  
9 grade in all of the district public high schools or all institute charter high  
10 schools who score at each achievement level on the standardized,  
11 curriculum-based, achievement, college entrance examination  
12 administered as a statewide assessment or the percentages of students  
13 enrolled in each of the grade levels included in the public high schools  
14 who score at each achievement level on the postsecondary and workforce  
15 readiness assessments administered by the public high schools;

16 (II) Beginning with the 2011-12 school year and for each school  
17 year thereafter, the overall percentage of all students graduating from the  
18 district public high schools or from the institute charter high schools who  
19 receive diplomas that are endorsed for postsecondary and workforce  
20 readiness as described in section 22-7-1009 (1) and the percentage who  
21 receive diplomas that are endorsed for exemplary demonstration of  
22 postsecondary and workforce readiness as described in section 22-7-1009  
23 (2); and

24 (III) The overall graduation and dropout rates, as defined by rule  
25 of the state board, for the district public high schools or the institute  
26 charter high schools; AND

27 (IV) THE NUMBER OF STUDENTS WHO, UPON ENROLLMENT IN AN

1 INSTITUTION OF HIGHER EDUCATION, NEED REMEDIATION COURSE WORK,  
2 AS REPORTED BY THE DEPARTMENT OF HIGHER EDUCATION PURSUANT TO  
3 SECTION 23-1-113, C.R.S.

4 (c) For the state, the department shall calculate:

5 (I) The percentages of students enrolled in the eleventh grade in  
6 public high schools statewide who score at each achievement level on the  
7 standardized, curriculum-based, achievement, college entrance  
8 examination administered as a statewide assessment or the percentages of  
9 students enrolled in each of the grade levels included in the public high  
10 schools statewide who score at each achievement level on the  
11 postsecondary and workforce readiness assessments administered by the  
12 public high schools;

13 (II) Beginning with the 2011-12 school year and for each school  
14 year thereafter, the overall percentage of all students graduating from the  
15 public high schools in the state who receive diplomas that are endorsed  
16 for postsecondary and workforce readiness as described in section  
17 22-7-1009 (1) and the percentage who receive diplomas that are endorsed  
18 for exemplary demonstration of postsecondary and workforce readiness  
19 as described in section 22-7-1009 (2); ~~and~~

20 (III) The statewide graduation and dropout rates, as defined by  
21 rule of the state board, for the public high schools in the state; AND

22 (IV) THE NUMBER OF STUDENTS WHO, UPON ENROLLMENT IN AN  
23 INSTITUTION OF HIGHER EDUCATION, NEED REMEDIATION COURSE WORK,  
24 AS REPORTED BY THE DEPARTMENT OF HIGHER EDUCATION PURSUANT TO  
25 SECTION 23-1-113, C.R.S.

26 **SECTION 2.** In Colorado Revised Statutes, 23-1-125, **amend** (5)  
27 as follows:

1           **23-1-125. Commission directive - student bill of rights - degree**  
2           **requirements - implementation of core courses - competency test.**

3           **(5) Nonpublic institutions of higher education - early colleges.**

4           (a) (I) A nonpublic institution of higher education OR EARLY COLLEGE  
5           may choose to conform its core course requirements with, or adopt core  
6           course requirements that meet, the general education course guidelines  
7           developed by the department pursuant to subsection (3) of this section and  
8           identify the specific courses that meet the general education course  
9           guidelines. The nonpublic institution of higher education OR EARLY  
10          COLLEGE may require all of the students enrolled in the institution OR  
11          EARLY COLLEGE to take the core course requirements that are conformed  
12          or adopted as provided in this paragraph (a) or may require only those  
13          students who are concurrently enrolled, pursuant to article 35 of title 22,  
14          C.R.S., in a high school and in the nonpublic institution of higher  
15          education OR EARLY COLLEGE to take said core course requirements.

16          (II) The core course requirements that a nonpublic institution of  
17          higher education OR EARLY COLLEGE conforms or adopts pursuant to this  
18          paragraph (a) shall comply with the number of credit hours required by  
19          the department and shall include courses in each of the subject areas  
20          identified by the department. The nonpublic institution of higher  
21          education OR EARLY COLLEGE shall submit to the department a description  
22          of its core course requirements with the initial review fee established  
23          pursuant to paragraph (c) of this subsection (5), and the department shall  
24          determine whether the nonpublic institution's OR EARLY COLLEGE'S core  
25          course requirements comply with the department's general education  
26          course guidelines. If the department determines that the nonpublic  
27          institution of higher education's OR EARLY COLLEGE'S core course

1 requirements comply with the guidelines, then the nonpublic institution's  
2 OR EARLY COLLEGE'S core course credits shall be transferable to public  
3 institutions of higher education, and the nonpublic institution of higher  
4 education OR EARLY COLLEGE shall accept transfers of core course credits  
5 from the public institutions of higher education.

6 (b) A nonpublic institution of higher education OR EARLY  
7 COLLEGE that chooses to seek transferability of its core course credits  
8 pursuant to paragraph (a) of this subsection (5) shall, prior to the  
9 beginning of each academic year in which it seeks transferability, allow  
10 the department to review its general education core course requirements  
11 and its general education courses to ensure that they continue to meet the  
12 general education core course guidelines. The department may assess a  
13 fee as provided in paragraph (c) of this subsection (5) to offset the costs  
14 of the annual review.

15 (c) The commission, in consultation with the department, shall  
16 establish the amounts of the initial review fee and the annual review fee  
17 of a nonpublic institution of higher education's OR EARLY COLLEGE'S  
18 general education core course requirements and core courses, which  
19 amounts shall not exceed the direct and indirect costs incurred by the  
20 department in initially reviewing and in annually reviewing the nonpublic  
21 institution's OR EARLY COLLEGE'S general education core course  
22 requirements and core courses. The department is authorized to collect  
23 the fees from nonpublic institutions of higher education OR EARLY  
24 COLLEGES as provided in paragraphs (a) and (b) of this subsection (5).

25 (d) On or before March 1, 2016, the commission shall submit to  
26 the education committees of the senate and the house of representatives,  
27 or any successor committees, a report concerning the implementation of

1 this subsection (5). At a minimum, the report shall include:

2 (I) The names of the nonpublic institutions of higher education  
3 ANDEARLY COLLEGES that are participating in the general education core  
4 course requirements;

5 (II) The number of students who have transferred core course  
6 credits to or from a nonpublic institution of higher education OR EARLY  
7 COLLEGE;

8 (III) Any issues that have arisen in the course of implementing  
9 this subsection (5); and

10 (IV) Any recommendations for changes to this subsection (5).

11 (e) As used in this subsection (5), "nonpublic institution of higher  
12 education" means an educational institution operating in this state that:

13 (I) Does not receive state general fund moneys in support of its  
14 operating costs;

15 (II) Admits as regular students only persons having a high school  
16 diploma or the recognized equivalent of a high school diploma;

17 (III) Is accredited by a regional accrediting agency or association;

18 (IV) Provides an educational program for which it awards a  
19 bachelor's degree or a graduate degree;

20 (V) Is authorized by the department of higher education to do  
21 business in Colorado pursuant to section 23-2-103.3;

22 (VI) Maintains a physical campus or instructional facility in  
23 Colorado; and

24 (VII) Has been determined by the United States department of  
25 education to be eligible to administer federal financial aid programs  
26 pursuant to Title IV of the federal "Higher Education Act of 1965", as  
27 amended.

1 (f) AS USED IN THIS SUBSECTION (5), "EARLY COLLEGE" SHALL  
2 HAVE THE SAME MEANING AS SET FORTH IN SECTION 22-35-103 (10),  
3 C.R.S.

4 **SECTION 3.** In Colorado Revised Statutes, 23-2-102, **add** (1.7)  
5 as follows:

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

8 (1.7) "EARLY COLLEGE" MEANS ANY SCHOOL DEFINED IN SECTION  
9 22-35-103 (10), C.R.S., OR ANY OTHER INSTITUTION DOING BUSINESS OR  
10 MAINTAINING A PLACE OF BUSINESS IN THE STATE THAT OFFERS COURSES  
11 OF INSTRUCTION OR STUDY FOR WHICH CREDITS MAY BE EARNED AND  
12 APPLIED TOWARD A DEGREE IN A FIELD OF ENDEAVOR AND THAT HAS BEEN  
13 ACCREDITED AS AN EARLY COLLEGE BY THE DEPARTMENT.

14 **SECTION 4.** In Colorado Revised Statutes, **amend** 23-2-103 as  
15 follows:

16 **23-2-103. Awarding degrees.** Notwithstanding the provisions of  
17 section 7-50-105, C.R.S., or any other law to the contrary, no person,  
18 partnership, corporation, company, society, or association doing business  
19 in the state of Colorado shall award, bestow, confer, give, grant, convey,  
20 or sell to any other person a degree or honorary degree upon which is  
21 inscribed, in any language, the word "associate", "bachelor",  
22 "baccalaureate", "master", or "doctor", or any abbreviation thereof, or  
23 offer courses of instruction or credits purporting to lead to any such  
24 degree, except a state college or university, a private college or university,  
25 a private occupational school, AN EARLY COLLEGE, or a seminary or bible  
26 college and except a school, college, or university which offers courses  
27 of instruction or study in compliance with standards prescribed by articles

1 2, 4, 22, 25, 32, 33, 35, 36, 38, 40, 41, 43, and 64 of title 12, C.R.S.

2           **SECTION 5. Act subject to petition - effective date.** This act  
3 takes effect at 12:01 a.m. on the day following the expiration of the  
4 ninety-day period after final adjournment of the general assembly (August  
5 8, 2012, if adjournment sine die is on May 9, 2012); except that, if a  
6 referendum petition is filed pursuant to section 1 (3) of article V of the  
7 state constitution against this act or an item, section, or part of this act  
8 within such period, then the act, item, section, or part will not take effect  
9 unless approved by the people at the general election to be held in  
10 November 2012 and, in such case, will take effect on the date of the  
11 official declaration of the vote thereon by the governor.