

NOTE: The governor signed this measure on 5/22/2015.

# An Act

HOUSE BILL 15-1275

BY REPRESENTATIVE(S) Winter, Becker J., Becker K., Buckner, Carver, Court, Danielson, Duran, Esgar, Fields, Garnett, Ginal, Hamner, Kagan, Kraft-Tharp, Lebsock, Lee, Lontine, McCann, Melton, Mitsch Bush, Moreno, Pettersen, Priola, Rosenthal, Roupe, Ryden, Salazar, Singer, Tate, Tyler, Williams, Young, Hullinghorst, Pabon; also SENATOR(S) Heath and Marble, Todd, Carroll, Donovan, Garcia, Hill, Jahn, Kefalas, Kerr, Merrifield, Newell, Ulibarri.

CONCERNING MEASURES TO SUPPORT ENROLLMENT IN CAREER AND TECHNICAL EDUCATION PROGRAMS, AND, IN CONNECTION THEREWITH, MAKING AN APPROPRIATION.

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

**SECTION 1.** In Colorado Revised Statutes, 22-35-103, **amend** (1) and (6) (a); and **add** (1.5) as follows:

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

(1) "~~ASCENT program~~" ~~means the accelerating students through concurrent enrollment program created in section 22-35-108~~ "APPRENTICESHIP PROGRAM" MEANS A COLORADO-BASED APPRENTICESHIP

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*Capital letters indicate new material added to existing statutes; dashes through words indicate deletions from existing statutes and such material not part of act.*

PROGRAM THAT IS REGISTERED WITH THE UNITED STATES DEPARTMENT OF LABOR, OFFICE OF APPRENTICESHIP AND TRAINING.

(1.5) "ASCENT PROGRAM" MEANS THE ACCELERATING STUDENTS THROUGH CONCURRENT ENROLLMENT PROGRAM CREATED IN SECTION 22-35-108.

(6)(a) "Concurrent enrollment" means the simultaneous enrollment of a qualified student in a local education provider and in one or more postsecondary courses, including academic or career and technical education courses, WHICH MAY INCLUDE COURSE WORK RELATED TO APPRENTICESHIP PROGRAMS OR INTERNSHIP PROGRAMS, at an institution of higher education pursuant to the provisions of this article.

**SECTION 2.** In Colorado Revised Statutes, 22-35-104, **amend** (1) (b), (1) (d), (1) (e), (5), (6) (a), (6) (b) introductory portion, (6) (b) (VII), (6) (c), (13), and (14) as follows:

**22-35-104. Enrollment in an institution of higher education - cooperative agreement.** (1) (b) Each local education provider shall annually notify all students and parents or legal guardians of students enrolled in the local education provider of the opportunity for concurrent enrollment by qualified students in postsecondary courses, including academic courses and career and technical education courses, WHICH MAY INCLUDE COURSE WORK RELATED TO APPRENTICESHIP PROGRAMS AND INTERNSHIP PROGRAMS.

(d) Notwithstanding the provisions of paragraph (a) of this subsection (1), if a qualified student is not a participant in the ASCENT program and has not satisfied the minimum requirements for graduation established by his or her local education provider by the end of his or her twelfth-grade year and is therefore retained by the local education provider for additional instruction, the qualified student shall not concurrently enroll in postsecondary courses, including academic or career and technical education courses, WHICH MAY INCLUDE COURSE WORK RELATED TO APPRENTICESHIP PROGRAMS OR INTERNSHIP PROGRAMS, that are worth more than a total of nine credit hours, including basic skills courses. Furthermore, the qualified student shall not concurrently enroll in more than:

(I) Six credit hours of postsecondary courses, including academic courses and career and technical education courses, WHICH MAY INCLUDE COURSE WORK RELATED TO APPRENTICESHIP PROGRAMS OR INTERNSHIP PROGRAMS, in any academic semester if the student is registered as a full-time pupil in his or her local education provider; or

(II) Three credit hours of postsecondary courses, including academic courses and career and technical education courses, WHICH MAY INCLUDE COURSE WORK RELATED TO APPRENTICESHIP PROGRAMS OR INTERNSHIP PROGRAMS, in any academic semester if the student is registered as a part-time pupil in his or her local education provider.

(e) Except as described in paragraphs (c) and (d) of this subsection (1) and sections 22-35-108 and 22-35-109, the state board by rule shall not limit the number of postsecondary courses, including academic courses and career and technical education courses, WHICH MAY INCLUDE COURSE WORK RELATED TO APPRENTICESHIP PROGRAMS OR INTERNSHIP PROGRAMS, in which a qualified student may concurrently enroll during the ninth, tenth, eleventh, or twelfth grade.

(5) A course, INCLUDING COURSE WORK RELATED TO AN APPRENTICESHIP PROGRAM OR INTERNSHIP PROGRAM, successfully completed by a qualified student through concurrent enrollment at an institution of higher education ~~shall count~~ COUNTS for credit toward the qualified student's high school graduation requirements at his or her local education provider.

(6) (a) A local education provider that seeks to allow students to concurrently enroll in postsecondary courses, including academic courses and career and technical education courses, WHICH MAY INCLUDE COURSE WORK RELATED TO APPRENTICESHIP PROGRAMS AND INTERNSHIP PROGRAMS, at an institution of higher education shall enter into a cooperative agreement with the institution of higher education.

(b) A cooperative agreement ~~shall~~ MUST include, but need not be limited to:

(VII) Consideration and identification of ways in which qualified students who concurrently enroll in postsecondary courses, including academic courses or career and technical education courses, WHICH MAY

INCLUDE COURSE WORK RELATED TO APPRENTICESHIP PROGRAMS AND INTERNSHIP PROGRAMS, can remain eligible for interscholastic high school activities; and

(c) An institution of higher education that enters into a cooperative agreement with a local education provider shall provide a copy of the cooperative agreement to the department of higher education, which shall retain the copy. If the cooperative agreement contemplates the provision of career and technical education courses, WHICH MAY INCLUDE COURSE WORK RELATED TO APPRENTICESHIP PROGRAMS OR INTERNSHIP PROGRAMS, to qualified students, the institution shall also provide a copy of the cooperative agreement to the state board for community colleges and occupational education, which shall retain the copy.

(13) Notwithstanding any other provision of this article, a qualified student shall not concurrently enroll in a course that is offered by a postsecondary career and technical education program, INCLUDING A COURSE THAT IS RELATED TO AN APPRENTICESHIP PROGRAM OR INTERNSHIP PROGRAM, unless the course is included in a postsecondary degree or certificate program that is approved by the state board for community colleges and occupational education.

(14) If a qualified student concurrently enrolls in a course that is provided by a postsecondary career and technical education program, INCLUDING A COURSE THAT IS RELATED TO AN APPRENTICESHIP PROGRAM OR INTERNSHIP PROGRAM, the instructor of the course ~~shall~~ MUST possess a CURRENT career and technical education teaching credential that has been authorized by the state board for community colleges and occupational education.

**SECTION 3.** In Colorado Revised Statutes, 22-35-107, **add** (6) (f) as follows:

**22-35-107. Concurrent enrollment advisory board - created - membership - duties - reports - repeal.** (6) The board shall have the following duties:

(f) COLLABORATING WITH PERSONS FROM THE DEPARTMENT OF EDUCATION, THE DEPARTMENT OF LABOR AND EMPLOYMENT, THE COMMUNITY COLLEGE SYSTEM, THE LOCAL DISTRICT JUNIOR COLLEGES,

AREA VOCATIONAL SCHOOLS, AND THE COLORADO WORK FORCE DEVELOPMENT COUNCIL CREATED IN SECTION 24-46.3-101, C.R.S., TO CREATE A SET OF STANDARD RECOMMENDATIONS TO ADVISE AND ASSIST LOCAL EDUCATION PROVIDERS IN CREATING COOPERATIVE AGREEMENTS TO INCLUDE COURSE WORK RELATED TO APPRENTICESHIP PROGRAMS AND INTERNSHIP PROGRAMS AS OPTIONS WITHIN A LOCAL EDUCATION PROVIDER'S CONCURRENT ENROLLMENT PROGRAM. THE BOARD SHALL COMPLETE THE STANDARD RECOMMENDATIONS AND MAKE THEM AVAILABLE TO LOCAL EDUCATION PROVIDERS BY JANUARY 1, 2016.

**SECTION 4.** In Colorado Revised Statutes, 22-35-112, **amend** (2) introductory portion and (2) (a) as follows:

**22-35-112. Reports.** (2) On or before February 1, 2011, and on or before February 1 each year thereafter, the department and the department of higher education shall collaborate to prepare and submit to the education committees of the senate and house of representatives, or any successor committees, a report concerning the concurrent enrollment of qualified students in postsecondary courses, including academic courses and career and technical education courses, AND COURSES RELATED TO APPRENTICESHIP PROGRAMS AND INTERNSHIP PROGRAMS. The report ~~shall~~ **MUST** include, but need not be limited to:

(a) The number and names of local education providers and institutions of higher education that have entered into cooperative agreements, INCLUDING COOPERATIVE AGREEMENTS CONCERNING COURSE WORK RELATED TO APPRENTICESHIP PROGRAMS AND INTERNSHIP PROGRAMS;

**SECTION 5.** In Colorado Revised Statutes, **add** part 11 to article 3.3 of title 23 as follows:

PART 11  
TUITION ASSISTANCE FOR CAREER AND  
TECHNICAL EDUCATION CERTIFICATE PROGRAMS

**23-3.3-1101. Career and technical education certificate programs - tuition assistance - funding.** (1) THE COMMISSION SHALL ESTABLISH A TUITION ASSISTANCE PROGRAM FOR STUDENTS ENROLLED IN CAREER AND TECHNICAL EDUCATION CERTIFICATE PROGRAMS, REFERRED TO IN THIS SECTION AS "CERTIFICATE PROGRAMS". SUBJECT TO AVAILABLE

APPROPRIATIONS, THE COMMISSION SHALL ALLOCATE MONEYS TO COMMUNITY COLLEGES, COLORADO MESA UNIVERSITY, AREA VOCATIONAL SCHOOLS, AND LOCAL DISTRICT JUNIOR COLLEGES TO PROVIDE TUITION ASSISTANCE FOR STUDENTS WHO MEET THE INCOME ELIGIBILITY REQUIREMENTS FOR THE FEDERAL PELL GRANT BUT DO NOT QUALIFY FOR THE PELL GRANT BECAUSE THE CERTIFICATE PROGRAM IN WHICH THEY ARE ENROLLED DOES NOT MEET THE PELL GRANT MINIMUM CREDIT HOUR REQUIREMENTS. THE DEPARTMENT OF HIGHER EDUCATION AND THE INSTITUTIONS THAT RECEIVE TUITION ASSISTANCE MONEYS PURSUANT TO THIS SECTION SHALL ADMINISTER THE PROGRAM IN ACCORDANCE WITH POLICIES AND PROCEDURES THAT THE COMMISSION ESTABLISHES.

(2) THE GENERAL ASSEMBLY MAY APPROPRIATE ANNUALLY AN AMOUNT FOR SUPPORT OF THE PROGRAM ESTABLISHED PURSUANT TO THIS SECTION.

**SECTION 6. Appropriation.** For the 2015-16 state fiscal year, \$450,000 is appropriated to the department of higher education. This appropriation is from the general fund. To implement this act, the department may use this appropriation for the Colorado commission on higher education's tuition assistance for career and technical education certificate programs.

**SECTION 7. Safety clause.** The general assembly hereby finds,

determines, and declares that this act is necessary for the immediate preservation of the public peace, health, and safety.

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Dickey Lee Hullinghorst  
SPEAKER OF THE HOUSE  
OF REPRESENTATIVES

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Bill L. Cadman  
PRESIDENT OF  
THE SENATE

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Marilyn Eddins  
CHIEF CLERK OF THE HOUSE  
OF REPRESENTATIVES

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Cindi L. Markwell  
SECRETARY OF  
THE SENATE

APPROVED \_\_\_\_\_

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John W. Hickenlooper  
GOVERNOR OF THE STATE OF COLORADO