

**First Regular Session
Seventieth General Assembly
STATE OF COLORADO**

PREAMENDED

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

LLS NO. 15-0616.01 Julie Pelegrin x2700

SENATE BILL 15-138

SENATE SPONSORSHIP

Donovan, Garcia, Hill, Kerr, Merrifield

HOUSE SPONSORSHIP

(None),

Senate Committees

Education
Finance

House Committees

A BILL FOR AN ACT

101 **CONCERNING FUNDING FOR THE ACCELERATING STUDENTS THROUGH**
102 **CONCURRENT ENROLLMENT PROGRAM.**

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>.)

Under existing law, the department of education (department) designates a certain number of students who meet certain requirements to participate in the accelerating students through concurrent enrollment (ASCENT) program. For purposes of school finance funding, the local education provider that enrolls a designated ASCENT program student may include that student in its funded pupil count for one year after 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.*

student finishes twelfth grade, while the student takes higher education courses. Funding for the student is calculated through the school finance formula and included in the school district's total program funding.

The bill takes funding for ASCENT program students out of the school finance formula and creates the ASCENT program fund consisting of the moneys that the general assembly appropriates to fund the ASCENT program. The department must annually designate a certain number of students to participate in the ASCENT program and must annually allocate to each local education provider an amount equal to the ASCENT program per pupil funding amount multiplied by the number of the local education provider's designated ASCENT program students.

Beginning in the 2015-16 budget year, the ASCENT program per pupil funding amount is \$6,632, which is the per pupil amount actually paid for ASCENT program funding in the 2014-15 budget year. The ASCENT program per pupil funding amount increases annually by the same percentage that the statewide base per pupil funding increases. In a year in which the amount appropriated is insufficient to fully fund the ASCENT program allocations, the department must reduce each local education provider's allocation in proportion to the amount of the deficit.

The department must distribute the ASCENT program moneys to the local education provider upon proof that the local education provider has enrolled a designated qualified student in an institution of higher education through the ASCENT program. If a local education provider does not enroll in an institution of higher education the number of qualified students for which it is allocated ASCENT program moneys in a school year, the department must reserve the remainder of the local education provider's allocation and distribute it to the local education provider for qualified students that the department designates and the local education provider enrolls in an institution of higher education through the ASCENT program in the following school year. The department will reserve allocated ASCENT program moneys only for the school year immediately following the school year for which the moneys were originally allocated.

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

2 **SECTION 1. In Colorado Revised Statutes, 22-35-108, amend**

3 **(3) as follows:**

4 **22-35-108. Accelerating students through concurrent**

5 **enrollment program - objectives - selection criteria - rules.**(3)(a) The

6 **local education provider of a qualified student who is designated by the**

1 department as an ASCENT program participant may include the student
2 in the district's funded pupil count, or, in the case of a student enrolled in
3 an institute charter school, in the school's accounting district, as provided
4 in section 22-54-103 (7).

5 (b) A LOCAL EDUCATION PROVIDER THAT RECEIVES ASCENT
6 PROGRAM FUNDING, AS DESCRIBED IN SECTION 22-54-104 (4.7), IN A
7 BUDGET YEAR MAY EXPEND THE ASCENT PROGRAM FUNDING ON BEHALF
8 OF ASCENT PROGRAM PARTICIPANTS WHO ENROLL IN AN INSTITUTION OF
9 HIGHER EDUCATION DURING THAT BUDGET YEAR AND ON BEHALF OF
10 ASCENT PROGRAM PARTICIPANTS WHO, BY MAY 1 OF THAT BUDGET
11 YEAR, ARE ADMITTED TO AN INSTITUTION OF HIGHER EDUCATION TO
12 PARTICIPATE IN THE ASCENT PROGRAM DURING THE NEXT BUDGET YEAR.

13 (c) THE LOCAL EDUCATION PROVIDER SHALL CERTIFY TO THE
14 DEPARTMENT BY MAY 10 OF EACH YEAR THE LIST OF ASCENT PROGRAM
15 PARTICIPANTS WHO ARE ADMITTED TO AN INSTITUTION OF HIGHER
16 EDUCATION TO PARTICIPATE IN THE ASCENT PROGRAM DURING THE NEXT
17 BUDGET YEAR. AT THE END OF THE BUDGET YEAR IN WHICH THE LOCAL
18 EDUCATION PROVIDER RECEIVES THE ASCENT PROGRAM FUNDING, THE
19 LOCAL EDUCATION PROVIDER SHALL REMIT TO THE DEPARTMENT ANY
20 REMAINING AMOUNT OF THE ASCENT PROGRAM FUNDING THAT THE
21 LOCAL EDUCATION PROVIDER IS NOT USING FOR AN ASCENT PROGRAM
22 PARTICIPANT WHO IS INCLUDED ON THE CERTIFIED LIST.

23 **SECTION 2.** In Colorado Revised Statutes, 22-54-114, amend
24 (4) (a) as follows:

25 **22-54-114. State public school fund.** (4) (a) For the 1997-98
26 fiscal year and fiscal years thereafter, the net amount recovered by the
27 department of education during the applicable fiscal year, pursuant to

1 school district and institute charter school audits, as overpayments made
2 to school districts and institute charter schools, AND ANY AMOUNT
3 REMITTED BY A SCHOOL DISTRICT OR INSTITUTE CHARTER SCHOOL
4 PURSUANT TO SECTION 22-30.5-108 (3) (c), that would otherwise be
5 transmitted to the state treasurer for deposit in the general fund shall
6 instead be transmitted to the state treasurer for deposit in the state public
7 school fund. The amount shall be available for appropriation to the
8 department of education in subsequent fiscal years.

9 **SECTION 3. Safety clause.** The general assembly hereby finds,
10 determines, and declares that this act is necessary for the immediate
11 preservation of the public peace, health, and safety.