

First Regular Session
Sixty-seventh General Assembly
STATE OF COLORADO

DRAFT
2.12.09

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LLS NO. 09-0542.01 Richard Sweetman

SENATE BILL

SENATE SPONSORSHIP

Heath,

HOUSE SPONSORSHIP

(None),

SHORT TITLE: "Career Tech Ed Concurrent Enrollment"

A BILL FOR AN ACT

101 CONCERNING THE INCLUSION OF CAREER AND TECHNICAL EDUCATION
102 PROVIDERS AMONG THE INSTITUTIONS OF HIGHER EDUCATION
103 THAT ARE PERMITTED TO OFFER CONCURRENT ENROLLMENT
104 OPPORTUNITIES TO HIGH SCHOOL STUDENTS.

Bill Summary

(Note: This summary applies to this bill as introduced and does not necessarily reflect any amendments that may be subsequently adopted.)

Includes career and technical education providers among the institutions of higher education that are permitted to offer concurrent enrollment opportunities to high school students. Requires a career and technical education provider that seeks to offer career and technical

education courses to qualified students to apply to the concurrent enrollment advisory board (board) for its approval. Establishes certain duties for the board regarding the approval process for career and technical education providers.

Makes conforming amendments.

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

2 **SECTION 1.** 22-35-103, Colorado Revised Statutes, as enacted
3 by House Bill 09-____, is amended to read:

4 **22-35-103. Definitions.** As used in this article, unless the context
5 otherwise requires:

6 (1) "APPROVED CAREER AND TECHNICAL EDUCATION PROVIDER"
7 MEANS A CAREER AND TECHNICAL EDUCATION PROVIDER THAT IS
8 APPROVED BY THE BOARD PURSUANT TO SECTION 22-35-107.5 TO OFFER
9 A CAREER AND TECHNICAL EDUCATION COURSE TO A QUALIFIED HIGH
10 SCHOOL STUDENT PURSUANT TO THIS ARTICLE.

11 ~~(1)~~ (2) "Basic skills course" shall have the same meaning as set
12 forth in section 23-1-113 (1) (b) (II) (A.7), C.R.S.

13 ~~(2)~~ (3) "Board" means the concurrent enrollment advisory board
14 created in section 22-35-107.

15 (4) "CAREER AND TECHNICAL EDUCATION PROVIDER" MEANS A
16 SCHOOL DISTRICT, A BOARD OF COOPERATIVE SERVICES, AN INSTITUTE
17 CHARTER SCHOOL, OR A FACILITY SCHOOL THAT CONDUCTS A COURSE OF
18 CAREER AND TECHNICAL EDUCATION APPROVED BY THE STATE BOARD FOR
19 COMMUNITY COLLEGES AND OCCUPATIONAL EDUCATION PURSUANT TO
20 SECTION 23-8-103, C.R.S.

21 ~~(3)~~ (5) "Concurrent enrollment" means the simultaneous
22 enrollment of a qualified student in a high school of a school district and
23 in an institution of higher education pursuant to the provisions of this

1 article.

2 ~~(4)~~ (6) "Cooperative agreement" means an agreement entered into
3 by a school district and an institution of higher education pursuant to
4 section 22-35-104 (6).

5 ~~(5)~~ (7) "Department" means the department of education created
6 and existing pursuant to section 24-1-115, C.R.S.

7 ~~(6)~~ (8) "Facility school" means an approved facility school, as
8 defined in section 22-2-402 (1).

9 ~~(7)~~ (9) "Institution of higher education" means:

10 (a) A state university or college, community college, technical
11 college, junior college, or area vocational school described in title 23,
12 C.R.S.; or

13 (b) A nonpublic institution of higher education; OR

14 (c) AN APPROVED CAREER AND TECHNICAL EDUCATION PROVIDER.

15 ~~(8)~~ (10) "Nonpublic institution of higher education" means an
16 educational institution operating in this state that:

17 (a) Does not receive state general fund moneys in support of its
18 operating costs;

19 (b) Admits as regular students only persons having a high school
20 diploma or the recognized equivalent of such a certificate;

21 (c) Is accredited by a regional accrediting agency or association;

22 (d) Provides an educational program for which it awards a
23 bachelor's degree or a graduate degree;

24 (e) Is neither a proprietary institution nor an institution operated
25 for profit; and

26 (f) Is not a branch program or campus of an educational institution
27 whose principal campus and facilities are located outside this state.

1 ~~(9)~~ (11) "Postsecondary and workforce readiness" means the
2 knowledge and skills that a student should have attained prior to or upon
3 attaining a high school diploma, as adopted by the state board and the
4 commission pursuant to section 22-7-1008.

5 ~~(10)~~ (12) "Postsecondary education" means all formal public
6 education that requires as a prerequisite the acquisition of a high school
7 diploma or its equivalent. "Postsecondary education" includes programs
8 resulting in the acquisition of a certificate, an associate degree of applied
9 sciences, an associate degree of general studies, an associate degree of
10 arts, or an associate degree of science and all baccalaureate degree
11 programs.

12 ~~(11)~~ (13) "Program" means the (5th year) program created in
13 section 22-35-108.

14 ~~(12)~~ (14) "Qualified student" means a person who is less than
15 twenty-one years of age, has not been disqualified by the department
16 pursuant to section 22-35-107 (6) (a) (II), and:

17 (a) Is enrolled in the ninth, tenth, eleventh, or twelfth grade in a
18 high school of a school district and has demonstrated postsecondary and
19 workforce readiness pursuant to section 22-7-1016; or

20 (b) Is enrolled in the twelfth grade in a high school of a school
21 district, has applied for admission to an institution of higher education,
22 and is in need of one or more basic skills courses.

23 ~~(13)~~ (15) "State board" means the state board of education created
24 pursuant to section 1 of article IX of the state constitution.

25 **SECTION 2.** 22-35-104 (1) (b), (1) (c) (I), and (6) (c) (V),
26 Colorado Revised Statutes, as enacted by House Bill 09-____, are
27 amended to read:

1 **22-35-104. Enrollment in an institution of higher education -**
2 **cooperative agreement.** (1) (b) Each school district shall annually
3 notify all students and parents or legal guardians of students enrolled in
4 the middle schools, junior high schools, and high schools of the school
5 district of the opportunity for concurrent enrollment by qualified students
6 in college education courses OR CAREER AND TECHNICAL EDUCATION
7 COURSES pursuant to the provisions of this article.

8 (c) Notwithstanding the provisions of paragraph (a) of this
9 subsection (1), a qualified student shall not enroll pursuant to the
10 provisions of this section in:

11 (I) More than a total of sixty credit hours of college education
12 courses OR CAREER AND TECHNICAL EDUCATION COURSES;

13 (6) (c) A cooperative agreement shall include, but need not be
14 limited to:

15 (V) Consideration and identification of ways in which qualified
16 students who enroll in college education courses OR CAREER AND
17 TECHNICAL EDUCATION COURSES pursuant to this article can remain
18 eligible for interscholastic high school activities; and

19 **SECTION 3.** 22-35-107 (6) (a) and (6) (e), Colorado Revised
20 Statutes, as enacted by House Bill 09-____, are amended, and the said
21 22-35-107 (6) is further amended BY THE ADDITION OF THE
22 FOLLOWING NEW PARAGRAPHS, to read:

23 **22-35-107. Concurrent enrollment advisory board - created -**
24 **membership - duties - repeal.** (6) The board shall have the following
25 duties:

26 (a) Establishing standards for students who enroll in college
27 education courses AND CAREER AND TECHNICAL EDUCATION COURSES

1 pursuant to this article, including but not limited to standards by which
2 the department and the department of higher education shall:

3 (I) Determine whether a qualified student's academic performance
4 in a ~~college education~~ course is satisfactory or unsatisfactory; and

5 (II) Identify qualified students whose unsatisfactory academic
6 performance in a ~~college education~~ course disqualifies them from
7 enrolling in additional ~~college education~~ courses pursuant to this article;

8 (e) Assisting the department and the department of higher
9 education with the preparation and submission of the reports described in
10 section 22-35-112 (2); and

11 (g) REVIEWING AND APPROVING OR DISAPPROVING APPLICATIONS
12 SUBMITTED PURSUANT TO SECTION 22-35-107.5 BY CAREER AND
13 TECHNICAL EDUCATION PROVIDERS WHO SEEK TO OFFER CAREER AND
14 TECHNICAL EDUCATION COURSES TO STUDENTS PURSUANT TO THIS
15 ARTICLE;

16 (h) ESTABLISHING AND MAKING PUBLICLY AVAILABLE A
17 PROCEDURE BY WHICH A CAREER AND TECHNICAL EDUCATION PROVIDER
18 MAY APPLY FOR APPROVAL PURSUANT TO SECTION 22-35-107.5, WHICH
19 PROCEDURE SHALL INCLUDE A STANDARD APPLICATION FORM TO BE
20 DEVELOPED BY THE BOARD; AND

21 (i) ESTABLISHING AND MAKING PUBLICLY AVAILABLE CRITERIA
22 THAT THE BOARD SHALL USE TO APPROVE OR DISAPPROVE AN APPLICATION
23 SUBMITTED BY A CAREER AND TECHNICAL EDUCATION PROVIDER
24 PURSUANT TO SECTION 22-35-107.5.

25 **SECTION 4.** Article 35 of title 22, Colorado Revised Statutes, as
26 enacted by House Bill 09-____, is amended BY THE ADDITION OF A
27 NEW SECTION to read:

1 **22-35-107.5. Approval of career and technical education**
2 **providers.** (1) A CAREER AND TECHNICAL EDUCATION PROVIDER THAT
3 SEEKS TO OFFER CAREER AND TECHNICAL EDUCATION COURSES TO
4 QUALIFIED STUDENTS PURSUANT TO THIS ARTICLE SHALL APPLY TO THE
5 BOARD FOR APPROVAL ON OR BEFORE JUNE 1 OF THE YEAR PRECEDING THE
6 SCHOOL YEAR IN WHICH THE CAREER AND TECHNICAL EDUCATION
7 PROVIDER SEEKS TO OFFER THE COURSES.

8 (2) IN APPLYING TO THE BOARD FOR APPROVAL, A CAREER AND
9 TECHNICAL EDUCATION PROVIDER SHALL FOLLOW THE PROCEDURE
10 ESTABLISHED BY THE BOARD PURSUANT TO SECTION 22-35-107 (6) (h),
11 INCLUDING BUT NOT LIMITED TO USING THE STANDARD APPLICATION FORM
12 DEVELOPED BY THE BOARD PURSUANT TO SAID SECTION.

13 (3) IF A CAREER AND TECHNICAL EDUCATION PROVIDER APPLIES TO
14 THE BOARD FOR APPROVAL PURSUANT TO SUBSECTION (1) OF THIS
15 SECTION, THE BOARD SHALL GRANT OR DENY APPROVAL OF THE CAREER
16 AND TECHNICAL EDUCATION PROVIDER WITHIN SIXTY DAYS AFTER THE
17 DATE UPON WHICH THE BOARD RECEIVES THE APPLICATION.

18 (4) IF THE BOARD DENIES A CAREER AND TECHNICAL EDUCATION
19 PROVIDER'S APPLICATION FOR APPROVAL, THE CAREER AND TECHNICAL
20 EDUCATION PROVIDER MAY APPEAL THE DECISION OF THE BOARD TO THE
21 STATE BOARD.

22 **SECTION 5.** The introductory portions to 22-35-112 (1) (a) and
23 (2) (a), Colorado Revised Statutes, as enacted by House Bill 09-____, are
24 amended to read:

25 **22-35-112. Reports.** (1) (a) On or before September 1, 2010, and
26 on or before September 1 each year thereafter, the school district of each
27 high school in which a qualified student enrolled during the previous

1 school year, which student was also enrolled in a college education course
2 OR A CAREER AND TECHNICAL EDUCATION COURSE pursuant to this article,
3 shall submit a report to the department concerning the student's
4 concurrent enrollment. The report shall include, but need not be limited
5 to, information concerning the student's:

6 (2) (a) On or before February 1, 2011, and on or before February
7 1 each year thereafter, the department and the department of higher
8 education shall collaborate to prepare and submit to the education
9 committees of the senate and house of representatives, or any successor
10 committees, a report concerning the enrollment of qualified students in
11 college education courses AND CAREER AND TECHNICAL EDUCATION
12 COURSES pursuant to this article. The report shall include, but need not
13 be limited to:

14 **SECTION 6. Act subject to petition - effective date.**

15 (1) Except as otherwise provided in subsection (2), this act shall take
16 effect at 12:01 a.m. on the day following the expiration of the ninety-day
17 period after final adjournment of the general assembly that is allowed for
18 submitting a referendum petition pursuant to article V, section 1 (3) of the
19 state constitution, (August 4, 2009, if adjournment sine die is on May 6,
20 2009); except that, if a referendum petition is filed against this act or an
21 item, section, or part of this act within such period, then the act, item,
22 section, or part, if approved by the people, shall take effect on the date of
23 the official declaration of the vote thereon by proclamation of the
24 governor.

25 (2) This act shall take effect either upon the applicable effective

1 date of this act or upon the applicable effective date of House Bill
2 09-____, whichever is later; except that this act shall only take effect if
3 House Bill 09-____ is enacted and becomes law.
4 <{*Does the sponsor want a safety clause?*}>