

**First Regular Session  
Sixty-eighth General Assembly  
STATE OF COLORADO**

**PREAMENDED**

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

LLS NO. 11-0137.01 Julie Pelegrin

**SENATE BILL 11-070**

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**SENATE SPONSORSHIP**

**Hudak,** Bacon, Williams S.

**HOUSE SPONSORSHIP**

**(None),**

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**Senate Committees**

Education  
Appropriations

**House Committees**

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**A BILL FOR AN ACT**

101 **CONCERNING PROVIDING POSTSECONDARY OPPORTUNITIES TO**  
102 **STUDENTS WITH SPECIAL NEEDS.**

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**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 the bill, public institutions of higher education (institutions) are required to provide minimum access services for students with special needs. If a student with special needs is enrolling in an institution within 3 years after graduating from high school, the student may provide documentation of his or her special needs by releasing a copy of 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.*

individualized education program (IEP) or services plan under which the student received special education services while enrolled in high school. The institution must provide the services specified in the IEP or services plan as access services while the student with special needs is enrolled in the institution. If the parent of a student with special needs claims the student as a dependent for tax purposes, the institution must provide information to the parent and work with the parent for purposes of providing access services to the student. Each institution must submit to the department of higher education (department) a report of information concerning students with special needs, and the department will submit a summary of the compiled reports to the education committees of the general assembly.

The bill creates the special needs advisory committee for higher education (advisory committee) in the department. The advisory committee consists of several members, including students with special needs who are enrolled in postsecondary education and parents of such students, persons who oversee access services for students with special needs, transition coordinators for students with disabilities, and representatives from the departments of education, human services, and higher education. The advisory committee will assist the commission on higher education in considering and adopting policies to address the difficulties and challenges encountered by students with special needs in transitioning to, persisting in, and successfully completing postsecondary education.

For purposes of the "Concurrent Enrollment Programs Act", the bill specifies that a student with disabilities may concurrently enroll in an institution and continue receiving the services and accommodations specified in the student's IEP while he or she is enrolled in higher education classes. An institution cannot refuse to enter into a concurrent enrollment agreement with a local education provider to avoid providing the services and accommodations required by a student's IEP.

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

2 **SECTION 1. 22-20-104 (2), Colorado Revised Statutes, is**  
3 **amended to read:**

4 **22-20-104. Administration - advisory committee - rules.**

5 **(2) (a) In order to assist the state board in the performance of its**  
6 **responsibilities for the implementation of this article, the state board shall**  
7 **appoint a state special education advisory committee of an appropriate**

1 size. The members of the advisory committee shall be representative of  
2 the state population and shall be composed of persons involved in or  
3 concerned with the education of children with disabilities, including:  
4 (I) Parents of children with disabilities ages birth through  
5 twenty-six years;  
6 (II) Individuals with disabilities;  
7 (III) Teachers;  
8 (IV) Representatives of institutions of higher education that  
9 prepare special education and related services personnel;  
10 (V) State and local education officials, including officials who  
11 carry out activities under section 22-33-103.5;  
12 (VI) Administrators of programs for children with disabilities;  
13 (VII) Representatives of other state agencies involved in the  
14 financing or delivery of related services to children with disabilities;  
15 (VIII) Representatives of private schools, district charter schools,  
16 and institute charter schools;  
17 (IX) At least one representative of a vocational, community, or  
18 business organization concerned with the provision of transition services  
19 to children with disabilities;  
20 (X) REPRESENTATIVES OF A CONSORTIUM OF DISABILITIES  
21 SERVICES PROFESSIONALS FROM THE STATE INSTITUTIONS OF HIGHER  
22 EDUCATION;  
23 (XI) A representative from child welfare services in the  
24 department of human services established pursuant to section 26-5-102,  
25 C.R.S.; and  
26 (XII) Representatives from the division of youth corrections in the  
27 department of human services and from the department of corrections.

1           (a.5) A majority of the members of the advisory committee shall  
2 be individuals with disabilities or parents of children with disabilities.  
3 Members shall be appointed for one-year or two-year terms. Any  
4 additions to the composition of the advisory committee shall be made  
5 pursuant to the procedures of the state board.

6           (b) (Deleted by amendment, L. 91, p. 694, § 6, effective April 20,  
7 1991.)

8           (c) IN ADDITION TO MAKING RECOMMENDATIONS TO THE STATE  
9 BOARD PURSUANT TO PARAGRAPH (a) OF THIS SUBSECTION (2), THE STATE  
10 SPECIAL EDUCATION ADVISORY COMMITTEE SHALL CONSIDER ISSUES  
11 PERTAINING TO:

12           (I) TRANSITIONING STUDENTS WITH DISABILITIES FROM  
13 SECONDARY TO POSTSECONDARY EDUCATION, INCLUDING BUT NOT  
14 LIMITED TO THE DOCUMENTATION REQUIRED BY INSTITUTIONS OF HIGHER  
15 EDUCATION TO OBTAIN DISABILITIES SERVICES;

16           (II) CREATING POSTSECONDARY EMPLOYMENT TRAINING  
17 PROGRAMS AND OPPORTUNITIES FOR STUDENTS WITH DISABILITIES,  
18 INCLUDING INTELLECTUAL DISABILITIES, WHO CHOOSE TO CONTINUE INTO  
19 POSTSECONDARY EDUCATION BUT MAY NOT BE SEEKING A  
20 POSTSECONDARY DEGREE; AND

21           (III) SERVING STUDENTS WITH INTELLECTUAL DISABILITIES IN  
22 POSTSECONDARY INSTITUTIONS.

23           (d) IN CONSIDERING THE ISSUES SPECIFIED IN PARAGRAPH (c) OF  
24 THIS SUBSECTION (2), THE STATE SPECIAL EDUCATION ADVISORY  
25 COMMITTEE SHALL WORK WITH:

26           (I) A CONSORTIUM OF DISABILITIES SERVICES PROFESSIONALS  
27 FROM THE STATE INSTITUTIONS OF HIGHER EDUCATION;

1           (II) PERSONS FROM THE UNIT WITHIN THE DEPARTMENT THAT  
2           ADDRESSES EXCEPTIONAL STUDENT ISSUES, WHICH PERSONS SPECIALIZE  
3           IN SECONDARY TRANSITION ISSUES; AND

4           (III) ONE OR MORE REPRESENTATIVES FROM THE DEPARTMENT OF  
5           HIGHER EDUCATION.

6           (e) IN ADDITION TO SUBMITTING RECOMMENDATIONS TO THE  
7           STATE BOARD, THE STATE SPECIAL EDUCATION ADVISORY COMMITTEE  
8           MAY SUBMIT RECOMMENDATIONS TO THE DEPARTMENT OF HIGHER  
9           EDUCATION AS APPROPRIATE.

10           **SECTION 2. Safety clause.** The general assembly hereby finds,  
11           determines, and declares that this act is necessary for the immediate  
12           preservation of the public peace, health, and safety.