

Second Regular Session
Sixty-eighth General Assembly
STATE OF COLORADO

INTRODUCED

LLS NO. 12-0442.01 Julie Pelegrin x2700

HOUSE BILL 12-1146

HOUSE SPONSORSHIP

Nikkel, Todd, Massey, Beezley, Murray, Solano, Summers

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Education

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A BILL FOR AN ACT

101 CONCERNING PROGRAMS TO ALLOW STUDENTS TO ENROLL IN
102 POSTSECONDARY INSTITUTIONS TO COMPLETE HIGH SCHOOL
103 GRADUATION REQUIREMENTS.

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 authorizes a community college to agree with a local education provider to create a dropout recovery program through which a student who has dropped out of high school or who is at risk of dropping out of high school can concurrently enroll in the community

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.

college and the local education provider to complete his or her high school graduation requirements. The student attends classes exclusively at the community college, and all of the credits he or she earns count toward high school graduation. The dropout recovery program differs from the usual concurrent enrollment program with regard to the student's age, the number and type of course credits authorized, and funding.

The community college and the local education provider enter into an agreement that specifies many aspects of the dropout recovery program, including the tuition rate the local education provider will pay on the student's behalf, which rate cannot exceed the student's share of tuition at a community college. The local education provider will include the student in its pupil enrollment, and the community college will receive college opportunity fund (COF) stipend payments on the student's behalf. All of the college-level credits that the student earns through the dropout recovery program will count against the student's lifetime-limit on the number of credits for which he or she may receive a COF stipend.

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

2 **SECTION 1.** In Colorado Revised Statutes, **add** 22-35-109.5 as
3 follows:

4 **22-35-109.5. Community colleges - dropout recovery**
5 **programs - definitions.** (1) AS USED IN THIS SECTION, UNLESS THE
6 CONTEXT OTHERWISE REQUIRES:

7 (a) "COMMUNITY COLLEGE" MEANS AN INSTITUTION THAT
8 OPERATES AS PART OF THE STATE SYSTEM OF COMMUNITY COLLEGES
9 ESTABLISHED IN PART 2 OF ARTICLE 60 OF TITLE 23, C.R.S.

10 (b) "DROPOUT RECOVERY PROGRAM" MEANS A DUAL-CREDIT HIGH
11 SCHOOL DIPLOMA COMPLETION PROGRAM OPERATED BY A COMMUNITY
12 COLLEGE PURSUANT TO AN AGREEMENT WITH A LOCAL EDUCATION
13 PROVIDER FOR STUDENTS WHO HAVE DROPPED OUT OR ARE AT RISK OF
14 DROPPING OUT OF HIGH SCHOOL.

15 (2) (a) A COMMUNITY COLLEGE MAY ENTER INTO AGREEMENTS
16 WITH ONE OR MORE LOCAL EDUCATION PROVIDERS TO OPERATE DROPOUT

1 RECOVERY PROGRAMS FOR STUDENTS WHO HAVE DROPPED OUT OR ARE AT
2 RISK OF DROPPING OUT OF HIGH SCHOOL. TO PARTICIPATE IN A DROPOUT
3 RECOVERY PROGRAM, A STUDENT SHALL BE AT LEAST SIXTEEN YEARS OF
4 AGE BUT YOUNGER THAN TWENTY-ONE YEARS OF AGE. IF THE STUDENT IS
5 AT RISK OF DROPPING OUT OF HIGH SCHOOL, THE STUDENT SHALL OBTAIN
6 PERMISSION FROM THE CHIEF EXECUTIVE OFFICER OF THE SCHOOL IN
7 WHICH THE STUDENT IS ENROLLED BEFORE THE STUDENT MAY
8 PARTICIPATE IN THE DROPOUT RECOVERY PROGRAM. A STUDENT WHO
9 ENROLLS IN A DROPOUT RECOVERY PROGRAM IS INCLUDED IN THE PUPIL
10 ENROLLMENT OF THE LOCAL EDUCATION PROVIDER THAT IS A PARTNER IN
11 THE PROGRAM, BUT DOES NOT ATTEND CLASSES AT A SCHOOL OPERATED
12 BY THE LOCAL EDUCATION PROVIDER. THE STUDENT ATTENDS CLASSES
13 EITHER IN PERSON OR VIRTUALLY ONLY AT THE COMMUNITY COLLEGE AT
14 WHICH THE STUDENT ENROLLS PURSUANT TO THE DROPOUT RECOVERY
15 PROGRAM. A STUDENT MAY PARTICIPATE IN A DROPOUT RECOVERY
16 PROGRAM UNTIL HE OR SHE COMPLETES THE HIGH SCHOOL GRADUATION
17 REQUIREMENTS OR REACHES TWENTY-ONE YEARS OF AGE, WHICHEVER
18 COMES FIRST.

19 (b) NOTWITHSTANDING ANY PROVISION OF THIS ARTICLE OR OF
20 ARTICLE 54 OF THIS TITLE OR ANY RULES ADOPTED FOR THE
21 IMPLEMENTATION OF SAID ARTICLE TO THE CONTRARY:

22 (I) A STUDENT ENROLLED IN A DROPOUT RECOVERY PROGRAM
23 PURSUANT TO THIS SECTION MAY ENROLL IN BASIC SKILLS COURSES, AS
24 NECESSARY, REGARDLESS OF THE STUDENT'S HIGH SCHOOL GRADE LEVEL;

25 (II) A STUDENT ENROLLED IN A DROPOUT RECOVERY PROGRAM
26 PURSUANT TO THIS SECTION IS NOT RESTRICTED IN THE NUMBER OF CREDIT
27 HOURS PER SEMESTER OR IN THE OVERALL NUMBER OF CREDIT HOURS FOR

1 WHICH THE STUDENT MAY ENROLL THROUGH THE DROPOUT RECOVERY
2 PROGRAM, UNLESS LIMITED BY THE ENROLLING INSTITUTION;

3 (III) AFTER A STUDENT ENROLLS IN A DROPOUT RECOVERY
4 PROGRAM, THE LOCAL EDUCATION PROVIDER THAT IS A PARTNER IN THE
5 PROGRAM MAY INCLUDE THE STUDENT IN ITS PUPIL ENROLLMENT AS A
6 FULL-TIME STUDENT, REGARDLESS OF WHETHER THE STUDENT IS
7 ACTUALLY IN CLASS FOR THE MINIMUM NUMBER OF REQUIRED HOURS FOR
8 FULL-TIME ENROLLMENT, SO LONG AS THE STUDENT ENROLLS IN AT LEAST
9 SEVEN CREDIT HOURS PER SEMESTER; AND

10 (IV) A STUDENT ENROLLED IN A DROPOUT RECOVERY PROGRAM
11 PURSUANT TO THIS SECTION MAY ENROLL IN COURSES AT THE COMMUNITY
12 COLLEGE THAT QUALIFY FOR CREDIT TOWARD COMPLETION OF THE LOCAL
13 EDUCATION PROVIDER'S REQUIREMENTS FOR HIGH SCHOOL GRADUATION,
14 EVEN IF THE COURSES DO NOT QUALIFY FOR BASIC SKILLS CREDIT OR
15 ACADEMIC CREDIT APPLICABLE TOWARD EARNING A DEGREE OR
16 CERTIFICATE AT THE COMMUNITY COLLEGE.

17 (3) THE AGREEMENT BETWEEN A COMMUNITY COLLEGE AND A
18 LOCAL EDUCATION PROVIDER TO OPERATE A DROPOUT RECOVERY
19 PROGRAM PURSUANT TO THIS SECTION SHALL SPECIFY, AT A MINIMUM,
20 THAT:

21 (a) ALL OF THE COURSES THE STUDENT IS ALLOWED TO TAKE
22 THROUGH THE DROPOUT RECOVERY PROGRAM QUALIFY FOR CREDIT
23 TOWARD COMPLETION OF THE LOCAL EDUCATION PROVIDER'S
24 REQUIREMENTS FOR HIGH SCHOOL GRADUATION;

25 (b) THE LOCAL EDUCATION PROVIDER SHALL PROVIDE TO THE
26 COMMUNITY COLLEGE THE UNIQUELY IDENTIFYING STUDENT NUMBER FOR
27 EACH STUDENT ENROLLED IN THE DROPOUT RECOVERY PROGRAM, AND THE

1 COMMUNITY COLLEGE SHALL RETAIN THE STUDENT NUMBERS FOR THE
2 PURPOSES DESCRIBED IN SECTION 23-18-202 (5) (c) (I) (B), C.R.S.;

3 (c) THE LOCAL EDUCATION PROVIDER SHALL CONFIRM THAT EACH
4 STUDENT ENROLLED IN THE DROPOUT RECOVERY PROGRAM HAS DROPPED
5 OUT OF ENROLLMENT WITH A LOCAL EDUCATION PROVIDER OR, IF THE
6 STUDENT IS AT RISK OF DROPPING OUT OF HIGH SCHOOL, HAS THE
7 PERMISSION OF THE CHIEF EXECUTIVE OFFICER OF THE SCHOOL IN WHICH
8 THE STUDENT IS ENROLLED TO ENROLL IN THE DROPOUT RECOVERY
9 PROGRAM;

10 (d) THE LOCAL EDUCATION PROVIDER SHALL INCLUDE EACH
11 STUDENT ENROLLED IN THE DROPOUT RECOVERY PROGRAM AS A
12 FULL-TIME PUPIL IN THE LOCAL EDUCATION PROVIDER'S PUPIL
13 ENROLLMENT SO LONG AS THE STUDENT IS ENROLLED IN THE DROPOUT
14 RECOVERY PROGRAM;

15 (e) THE COMMUNITY COLLEGE SHALL RECEIVE PAYMENT OF
16 STIPENDS FROM THE COLLEGE OPPORTUNITY FUND PROGRAM, PART 2 OF
17 ARTICLE 18 OF TITLE 23, C.R.S., ON BEHALF OF EACH STUDENT ENROLLED
18 IN THE DROPOUT RECOVERY PROGRAM; AND

19 (f) THE LOCAL EDUCATION PROVIDER SHALL PAY THE STUDENT
20 SHARE OF THE TUITION FOR EACH COURSE COMPLETED BY A STUDENT
21 THROUGH THE DROPOUT RECOVERY PROGRAM IN AN AMOUNT NEGOTIATED
22 BY THE LOCAL EDUCATION PROVIDER AND THE COMMUNITY COLLEGE,
23 WHICH AMOUNT SHALL NOT EXCEED THE STUDENT SHARE OF THE TUITION
24 RATE ESTABLISHED BY THE STATE BOARD FOR COMMUNITY COLLEGES AND
25 OCCUPATIONAL EDUCATION PURSUANT TO SECTION 23-60-202 (1) (c) (I),
26 C.R.S., FOR COLORADO RESIDENTS ENROLLED IN THE COURSE.

27 **SECTION 2.** In Colorado Revised Statutes, 23-18-202, **amend**

1 (5) (c) (I) (B) and (5) (c) (III) as follows:

2 **23-18-202. College opportunity fund - appropriations -**
3 **payment of stipends - reimbursement - repeal.** (5) (c) (I) An eligible
4 undergraduate student shall not receive a stipend from the college
5 opportunity fund for more than one hundred forty-five credit hours during
6 the eligible undergraduate student's lifetime; except that:

7 (B) For credit hours initiated on or after July 1, 2006, an eligible
8 undergraduate student may receive stipend payments for basic skills
9 courses, as defined in section 23-1-113 (1) (b) (II) (A.7) and courses
10 taken pursuant to the "Concurrent Enrollment Programs Act", article 35
11 of title 22, C.R.S., INCLUDING COURSES TAKEN PURSUANT TO SECTION
12 22-35-109.5, C.R.S. For a student who enrolls in a course at an institution
13 of higher education pursuant to the "Concurrent Enrollment Programs
14 Act", article 35 of title 22, C.R.S., INCLUDING PURSUANT TO SECTION
15 22-35-109.5, C.R.S., the student loan division in the department shall
16 record the student's uniquely identifying student number before
17 submitting a stipend payment on behalf of the student. Stipend payments
18 received for the basic skills courses specified in this sub-subparagraph
19 (B) shall not apply to the lifetime limitation of one hundred forty-five
20 credit hours.

21 (III) For an eligible undergraduate student who has completed one
22 or more college courses while enrolled in high school pursuant to the
23 "Concurrent Enrollment Programs Act", article 35 of title 22, C.R.S., ~~or~~
24 while designated by the department of education as an ASCENT program
25 participant pursuant to section 22-35-108, C.R.S., OR WHILE ENROLLED IN
26 A DROPOUT RECOVERY PROGRAM PURSUANT TO SECTION 22-35-109.5,
27 C.R.S., all college-level credit hours earned by the student during such

1 enrollment shall count against the lifetime limitation described in
2 subparagraph (I) of this paragraph (c); except that credit hours earned
3 from enrollment in a basic skills course, as defined in section 23-1-113
4 (1) (b) (II) (A.7), shall not count against the lifetime limitation.

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