

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

PREAMENDED

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

LLS NO. 12-0270.01 Julie Pelegrin x2700

HOUSE BILL 12-1155

HOUSE SPONSORSHIP

Massey, Fields, Hamner

SENATE SPONSORSHIP

Bacon,

House Committees

Education
Appropriations

Senate Committees

A BILL FOR AN ACT

101 **CONCERNING MEASURES TO INCREASE THE TIMELY COMPLETION OF**
102 **POSTSECONDARY DEGREES.**

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 current law, the Colorado commission on higher education (commission) establishes academic admission standards for state institutions of higher education (institutions). In establishing those standards, the commission, under the bill, may take into account the rigor of a student's high school courses.

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.*

The bill clarifies the commission's authority to adopt a remedial education policy and directs the commission to ensure the remedial education policy is aligned with the academic admission standards. The policy sets the procedures for identifying students who need basic skills courses and procedures by which institutions offer those courses. In setting the standards for basic skills requirements, the commission may differentiate the mathematics requirements based on a student's chosen area of study. While only certain institutions may provide basic skills courses, the commission may authorize other institutions to provide supplemental academic instruction for students who enroll in credit-bearing courses but are identified as having limited skill deficiencies.

The department of higher education (department) currently prepares an annual report concerning higher education student enrollment and persistence. The department distributes the report to the education committees and the state board of education and posts it to the department's web site. The department will also provide the report to the department of education, which will post it on its web site, and the department will distribute student records to the appropriate school districts.

The commission has existing authority to establish each institution's role and mission and to enter into performance contracts with each institution. The bill clarifies that the commission can further delineate an institution's role and mission and service area as necessary to determine the implications for the institution's performance contract.

Under current law, the commission is charged with recommending a performance funding model for institutions. The bill directs the commission, in preparing its recommendations, to analyze the effects of differentiated Colorado opportunity fund (COF) stipend amounts and of limiting the funding for credit hours taken in excess of a certain limit.

The bill lowers the existing lifetime limit on eligibility for COF stipends from 145 to 140 credit hours, and a student cannot receive a COF stipend for any course for which the student has received an incomplete 2 or more times. Following adoption of commission policies, a student's eligibility for state need-based financial aid will also be limited to 140 undergraduate credit hours during a student's lifetime and will be unavailable for a course for which the student has received an incomplete 2 or more times.

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

2 **SECTION 1.** In Colorado Revised Statutes, 23-1-113, **amend** (1),
3 (8), (9), and (10); and **add** (1.5) and (11) as follows:

1 **23-1-113. Commission directive - admission standards for**
2 **baccalaureate and graduate institutions of higher education -**

3 **policy - definitions.** (1) (a) The commission shall commence
4 ~~immediately to~~ establish and the governing boards shall implement
5 academic admission standards for first-time freshmen and transfer
6 students at all state-supported baccalaureate and graduate institutions of
7 higher education in the state. The COMMISSION SHALL ESTABLISH AND
8 MAY SUBSEQUENTLY REVIEW AND AMEND THE standards ~~shall be~~
9 ~~established by the commission~~, after consultation with the governing
10 boards of institutions. ~~and the first step of implementation shall be~~
11 ~~completed by the governing boards by the beginning of the fall term in~~
12 ~~1986. Effective July 1, 1993~~, The academic admission standards
13 ~~established for determining admission of~~ students who do not have
14 in-state status, as determined pursuant to section 23-7-103, shall equal or
15 exceed those established for determining admission of in-state students.

16 (b) ~~(F)~~ ~~(A)~~ The standards established for first-time admitted
17 freshman students shall use a combination of high school academic
18 performance indicators and national assessment test scores for eligibility
19 criteria. THE ACADEMIC PERFORMANCE INDICATORS MAY INCLUDE, BUT
20 ARE NOT LIMITED TO, GRADE POINT AVERAGE, CLASS RANK, AND CONTENT
21 STANDARD PERFORMANCE LEVEL ASSESSMENTS. The criteria established
22 and the specified performance levels shall be consistent with the role and
23 mission established for each state-supported institution of higher
24 education. IN CONSIDERING THE HIGH SCHOOL ACADEMIC PERFORMANCE
25 INDICATORS, THE COMMISSION AND THE GOVERNING BOARDS MAY TAKE
26 INTO ACCOUNT THE RIGOR OF A STUDENT'S HIGH SCHOOL ACADEMIC
27 PREPARATION AND THE ACADEMIC CONTENT OF THE COURSES TAKEN. IN

1 LIEU OF THE ESTABLISHED STATEWIDE CRITERIA, EACH GOVERNING BOARD
2 MAY USE ADDITIONAL CRITERIA FOR UP TO TWENTY PERCENT OF THE
3 FRESHMEN STUDENTS ANNUALLY ADMITTED TO EACH INSTITUTION UNDER
4 THE GOVERNING BOARD'S CONTROL. STUDENTS WHO MEET THE MINIMUM
5 CRITERIA FOR ADMISSION ARE NOT GUARANTEED ADMISSION TO THE
6 INSTITUTION TO WHICH THEY HAVE APPLIED, BUT THEY ARE ELIGIBLE FOR
7 CONSIDERATION.

8 ~~(B) In lieu of the established statewide criteria, additional criteria~~
9 ~~may be used for up to twenty percent of the admitted freshmen.~~
10 ~~Beginning with the fall semester 2001, each governing board shall adopt~~
11 ~~policies and procedures that ensure each matriculated first-time freshman~~
12 ~~shall take basic skills placement or assessment tests in English and~~
13 ~~mathematics. Such tests shall be determined by the institution such~~
14 ~~freshman attends, shall meet the standards adopted by the commission~~
15 ~~pursuant to section 23-1-113.3 (1), and shall be administered by such~~
16 ~~institution. Students identified by institutions as needing basic skills~~
17 ~~remedial course work shall take appropriate course work no later than the~~
18 ~~end of their freshman year. The commission, in consultation with the~~
19 ~~governing boards, shall ensure the comparability of these placement or~~
20 ~~assessment tests for the purpose of providing consistent reporting data as~~
21 ~~such data are required by section 23-1-113.3 (4). The commission, in~~
22 ~~consultation with the governing boards, shall ensure that each student~~
23 ~~identified as needing basic skills remedial course work is provided with~~
24 ~~written notification identifying which state institutions offer such basic~~
25 ~~skills courses and the approximate cost and relative availability of such~~
26 ~~courses, including any electronic on-line courses.~~

27 ~~(C) Students who meet the minimum criteria for admission shall~~

1 not be guaranteed admission to the institution to which they have applied;
2 but they shall be eligible for consideration.

3 (H) ~~For purposes of this paragraph (b):~~

4 (A) ~~"Academic performance indicators" may include, but shall not~~
5 ~~be limited to, grade point average, class rank, and content standard~~
6 ~~performance level assessments.~~

7 (A.3) ~~"Academic skills courses" means courses that teach the~~
8 ~~basic academic skills necessary to succeed at a postsecondary institution.~~

9 (A.7) ~~"Basic skills courses" means courses that are prerequisites~~
10 ~~to the level of work expected at a postsecondary institution and include~~
11 ~~academic skills courses and preparatory courses.~~

12 (B) ~~"National assessment test scores" may include, but shall not~~
13 ~~be limited to, ACT test scores and SAT test scores.~~

14 (B.5) ~~"Preparatory courses" means courses designed for students~~
15 ~~who demonstrate a deficient skill level in the general competencies~~
16 ~~necessary to succeed in a standard postsecondary curriculum and shall~~
17 ~~include, but need not be limited to reading courses that focus on~~
18 ~~nontechnical vocabulary, word identification, and reading of everyday~~
19 ~~material; writing courses that focus primarily on grammar, usage,~~
20 ~~punctuation, and effective sentences and paragraphs; and mathematics~~
21 ~~courses primarily covering concepts introduced in elementary and~~
22 ~~intermediate algebra and geometry.~~

23 (c) The standards established for transfer students shall use
24 college academic performance indicators as the eligibility criteria for
25 admitted transfer students. THE ACADEMIC PERFORMANCE INDICATORS
26 MAY INCLUDE, BUT ARE NOT LIMITED TO, GRADE POINT AVERAGE, CREDIT
27 HOURS COMPLETED, AND SUCCESSFUL COMPLETION OF BASIC SKILLS

1 COURSES, IF REQUIRED AND AS APPROPRIATE CONSIDERING THE ROLE AND
2 MISSION OF THE RECEIVING INSTITUTION. In lieu of such criteria,
3 additional criteria may be used for up to twenty percent of the admitted
4 transfer students. The academic admission standards and policies
5 established for transfer students shall be consistent with the student
6 transfer agreements established by the commission pursuant to section
7 23-1-108 (7) (f). Students who meet the minimum criteria for admission
8 shall not be guaranteed admission to the institution to which they have
9 applied, but they shall be eligible for consideration.

10 (d) Repealed.

11 (1.5) (a) (I) THE COMMISSION SHALL ESTABLISH AND THE
12 GOVERNING BOARDS SHALL IMPLEMENT A POLICY PURSUANT TO SECTION
13 23-1-113.3 TO IDENTIFY MATRICULATED STUDENTS WHO NEED BASIC
14 SKILLS COURSES IN ENGLISH AND MATHEMATICS AND STANDARDS AND
15 PROCEDURES WHEREBY STATE INSTITUTIONS OF HIGHER EDUCATION MAY
16 OFFER BASIC SKILLS COURSES AS PROVIDED IN SECTION 23-1-113.3. THE
17 COMMISSION, IN CONSULTATION WITH THE GOVERNING BOARDS, SHALL
18 ENSURE THAT THE POLICY ALIGNS WITH THE ADMISSION POLICY
19 ADOPTED PURSUANT TO SUBSECTION (1) OF THIS SECTION. IN IDENTIFYING
20 THE STANDARDS FOR BASIC SKILLS, THE COMMISSION MAY DIFFERENTIATE
21 REQUIREMENTS FOR MATHEMATICS BASED ON THE PREREQUISITE SKILLS
22 NEED FOR REQUIRED COURSES WITHIN A STUDENT'S DECLARED PROGRAM
23 OF STUDY.

24 (II) AS PART OF THE POLICY ESTABLISHED PURSUANT TO THIS
25 PARAGRAPH (a), THE COMMISSION MAY AUTHORIZE A STATE INSTITUTION
26 OF HIGHER EDUCATION TO PROVIDE SUPPLEMENTAL ACADEMIC
27 INSTRUCTION EVEN THOUGH THE INSTITUTION IS NOT AUTHORIZED TO

1 PROVIDE BASIC SKILLS COURSES PURSUANT TO SECTION 23-1-113.3. THE
2 INSTITUTION MAY RECEIVE STIPEND PAYMENTS FROM THE STATE
3 PURSUANT TO SECTION 23-18-202 ON BEHALF OF AN ELIGIBLE
4 UNDERGRADUATE STUDENT, AS DEFINED IN SECTION 23-18-102 (5), WHO
5 IS ENROLLED IN A COLLEGE-LEVEL COURSE THAT INCLUDES
6 SUPPLEMENTAL ACADEMIC INSTRUCTION.

7 (b) EACH GOVERNING BOARD SHALL ADOPT POLICIES AND
8 PROCEDURES THAT ARE ALIGNED WITH THE POLICY ESTABLISHED BY
9 THE COMMISSION PURSUANT TO PARAGRAPH (a) OF THIS SUBSECTION (1.5)
10 AND THAT ENSURE THAT, TO THE EXTENT REQUIRED BY THE COMMISSION
11 POLICY, EACH MATRICULATED STUDENT TAKES OR HAS TAKEN BASIC
12 SKILLS PLACEMENT OR ASSESSMENT TESTS IN ENGLISH AND
13 MATHEMATICS. THE INSTITUTION THAT ENROLLS THE STUDENT SHALL
14 SELECT WHICH TESTS TO USE FROM AMONG THOSE THAT MEET THE
15 STANDARDS ESTABLISHED IN THE COMMISSION POLICY AND SHALL
16 ADMINISTER THE TESTS. THE COMMISSION, IN CONSULTATION WITH THE
17 GOVERNING BOARDS, SHALL ENSURE THE COMPARABILITY OF THE
18 PLACEMENT OR ASSESSMENT TESTS FOR THE PURPOSE OF PROVIDING
19 CONSISTENT REPORTING DATA AS SUCH DATA ARE REQUIRED BY SECTION
20 23-1-113.3 (4).

21 (c) STUDENTS IDENTIFIED BY INSTITUTIONS AS NEEDING BASIC
22 SKILLS COURSES BASED ON THEIR TEST SCORES SHALL COMPLETE THE
23 APPROPRIATE BASIC SKILLS COURSES BY THE TIME THE STUDENT
24 COMPLETES THIRTY COLLEGE-LEVEL CREDIT HOURS. THE COMMISSION, IN
25 CONSULTATION WITH THE GOVERNING BOARDS, SHALL ENSURE THAT EACH
26 STUDENT IDENTIFIED AS NEEDING BASIC SKILLS COURSES RECEIVES
27 WRITTEN NOTIFICATION IDENTIFYING WHICH STATE INSTITUTIONS OFFER

1 BASIC SKILLS COURSES AND THE APPROXIMATE COST AND RELATIVE
2 AVAILABILITY OF THE BASIC SKILLS COURSES, INCLUDING ANY ON-LINE
3 COURSES.

4 (8) (a) On or before ~~December 15, 2014~~ DECEMBER 15, 2013,
5 based on adoption of the description of postsecondary and workforce
6 readiness, the commission shall, if necessary, revise the minimum
7 academic admission standards for first-time freshmen at all
8 state-supported baccalaureate and graduate institutions of higher
9 education in the state to ensure that the minimum academic admission
10 standards are aligned with the description of postsecondary and
11 workforce readiness adopted by the commission and the state board of
12 education.

13 (b) On or before ~~December 15, 2012~~ DECEMBER 15, 2013, the
14 commission shall review the POLICY ESTABLISHED PURSUANT TO
15 PARAGRAPH (a) OF SUBSECTION (1.5) OF THIS SECTION AND THE basic
16 skills placement or assessment tests administered pursuant to
17 ~~sub-subparagraph (B) of subparagraph (I) of paragraph (b) of subsection~~
18 ~~(I) SUBSECTION (1.5) of this section and the associated policies~~, to ensure
19 that the POLICY AND tests and associated policies are aligned with the
20 postsecondary and workforce readiness description.

21 (c) Consistent with any revisions adopted pursuant to this section
22 to the description of postsecondary and workforce readiness, the
23 commission shall, if necessary, adopt revisions to the minimum academic
24 admission standards, THE POLICY ESTABLISHED PURSUANT TO PARAGRAPH
25 (a) OF SUBSECTION (1.5) OF THIS SECTION, and the basic skills placement
26 or assessment tests to ensure continued alignment with the postsecondary
27 and workforce readiness description.

1 (d) In revising the minimum academic admission standards, THE
2 POLICY ESTABLISHED PURSUANT TO PARAGRAPH (a) OF SUBSECTION (1.5)
3 OF THIS SECTION, and the basic skills placement or assessment tests
4 pursuant to this subsection (8), the commission shall consult with the
5 governing boards of the state institutions of higher education.

6 (9) On or before February 15, 2012, and on or before February 15
7 each year thereafter, the department of higher education shall submit to
8 the state board of education, THE DEPARTMENT OF EDUCATION, and the
9 education committees of the house of representatives and the senate, or
10 any successor committees, a report, SUBJECT TO AVAILABLE DATA,
11 concerning the enrollment, PLACEMENT AND COMPLETION OF BASIC SKILLS
12 COURSES, first-year college grades, and, ~~subject to available data,~~ types
13 of academic certificates and degrees attained AT ALL POSTSECONDARY
14 INSTITUTIONS IN COLORADO AND THE UNITED STATES for the high school
15 graduating classes of the preceding six academic years. The department
16 of higher education shall report the information disaggregated by HIGH
17 SCHOOL AND school district of graduation, TO THE EXTENT PRACTICABLE,
18 AND BY ethnicity, gender, financial aid status, and any other characteristic
19 deemed relevant by the commission. The department of higher education
20 AND THE DEPARTMENT OF EDUCATION shall also make the report available
21 on ~~its web site~~ THEIR RESPECTIVE WEB SITES.

22 (10) On or before February 15, 2009, and on or before February
23 15 each year thereafter, the department of higher education shall submit
24 to the department of education the unit records used for its reporting
25 purposes under this section to enable the department of education to
26 evaluate the effectiveness of the alignment of the preschool through
27 postsecondary education systems in preparing students who demonstrate

1 postsecondary and workforce readiness and subsequently succeed in
2 postsecondary education AND TO ENABLE THE DEPARTMENT OF HIGHER
3 EDUCATION TO DISSEMINATE THE UNIT RECORDS TO THE APPROPRIATE
4 SCHOOL DISTRICTS.

5 (11) AS USED IN THIS SECTION, UNLESS THE CONTEXT OTHERWISE
6 REQUIRES:

7 (a) "ACADEMIC SKILLS COURSES" MEANS COURSES THAT TEACH
8 THE BASIC ACADEMIC SKILLS NECESSARY TO SUCCEED AT A
9 POSTSECONDARY INSTITUTION.

10 (b) "BASIC SKILLS COURSES" MEANS COURSES THAT ARE
11 PREREQUISITES TO THE LEVEL OF WORK EXPECTED AT A POSTSECONDARY
12 INSTITUTION AND INCLUDE ACADEMIC SKILLS COURSES AND PREPARATORY
13 COURSES.

14 (c) "NATIONAL ASSESSMENT TEST SCORES" INCLUDE, BUT ARE NOT
15 LIMITED TO, ACT TEST SCORES AND SAT TEST SCORES.

16 (d) "PREPARATORY COURSES" MEANS COURSES DESIGNED FOR
17 STUDENTS WHO DEMONSTRATE A DEFICIENT SKILL LEVEL IN THE GENERAL
18 COMPETENCIES NECESSARY TO SUCCEED IN A STANDARD POSTSECONDARY
19 CURRICULUM AND INCLUDE, BUT ARE NOT LIMITED TO READING COURSES
20 THAT FOCUS ON NONTECHNICAL VOCABULARY, WORD IDENTIFICATION,
21 AND READING OF EVERYDAY MATERIAL; WRITING COURSES THAT FOCUS
22 PRIMARILY ON GRAMMAR, USAGE, PUNCTUATION, AND EFFECTIVE
23 SENTENCES AND PARAGRAPHS; AND MATHEMATICS COURSES PRIMARILY
24 COVERING CONCEPTS INTRODUCED IN ELEMENTARY AND INTERMEDIATE
25 ALGEBRA AND GEOMETRY.

26 (e) "SUPPLEMENTAL ACADEMIC INSTRUCTION" MEANS
27 CO-REQUISITE INSTRUCTION IN READING, WRITING, OR MATHEMATICS FOR

1 STUDENTS WITH LIMITED ACADEMIC DEFICIENCIES WHO ARE PLACED INTO
2 COLLEGE-LEVEL COURSE WORK THAT IS APPROVED FOR STATEWIDE
3 TRANSFER PURSUANT TO SECTION 23-1-125 (3). "SUPPLEMENTAL
4 ACADEMIC INSTRUCTION" DOES NOT INCLUDE PREREQUISITE BASIC SKILLS
5 COURSES AS DEFINED IN SECTION 23-1-113 (11) (b).

6 **SECTION 2.** In Colorado Revised Statutes, 23-1-113.3, **amend**
7 (1), (2) (a), (3), (4) (a), and (5.5) as follows:

8 **23-1-113.3. Commission directive - basic skills courses.** (1) AS
9 PART OF THE POLICY ADOPTED BY THE COMMISSION PURSUANT TO
10 SECTION 23-1-113 (1.5) (a), the commission shall adopt and the governing
11 boards shall implement standards and procedures whereby STATE
12 INSTITUTIONS OF HIGHER EDUCATION MAY OFFER basic skills courses, as
13 defined in ~~section 23-1-113 (1) (b) (II) (A.7) may be offered by state~~
14 ~~institutions of higher education~~ SECTION 23-1-113 (11) (b), pursuant to
15 this section.

16 (2) (a) Adams state college, Colorado Mesa university, any local
17 community college, and any community college governed by the state
18 board for community colleges and occupational education may offer basic
19 skills courses, as defined in ~~section 23-1-113 (1) (b) (II) (A.7)~~ SECTION
20 23-1-113 (11) (b), and receive stipend payments from the state on behalf
21 of eligible undergraduate students, as defined in section 23-18-102 (5),
22 enrolled in basic skills courses.

23 (3) The state board for community colleges and occupational
24 education, local community colleges, Adams state college, and Colorado
25 Mesa university shall:

26 (a) Track all students who are required to take basic skills courses
27 pursuant to ~~section 23-1-113 (1) (b) (I) (B)~~ SECTION 23-1-113 (1.5) in

1 order to determine whether those students successfully complete
2 requirements for graduation;

3 (b) Compile data regarding student performance that describes
4 with regard to students who take basic skills courses pursuant to ~~section~~
5 ~~23-1-113 (1) (b) (I) (B)~~ SECTION 23-1-113 (1.5):

- 6 (I) The school districts from which said students graduated;
- 7 (II) The number of said students graduating from each school
8 district; and
- 9 (III) The basic skills for which said students require remediation;
- 10 and

11 (c) Report annually to the department the data compiled pursuant
12 to paragraphs (a) and (b) of this subsection (3).

13 (4) (a) The department shall transmit annually to the education
14 committees of the senate and the house of representatives, or any
15 successor committees, the joint budget committee, the commission, and
16 the department of education an analysis of the data:

17 (I) Regarding students who take basic skills courses pursuant to
18 ~~section 23-1-113 (1) (b) (I) (B)~~ SECTION 23-1-113 (1.5); and

19 (II) Regarding the costs of providing basic skills courses pursuant
20 to ~~section 23-1-113 (1) (b) (I) (B)~~ SECTION 23-1-113 (1.5) and whether
21 students who complete said basic skills courses successfully complete the
22 requirements for graduation.

23 (5.5) ~~As soon as practicable after a community college, Adams~~
24 ~~state college, Colorado Mesa university, or any other state institution of~~
25 ~~higher education that provides basic skills courses begins using the~~
26 ~~unique student identifiers as required in section 23-5-127 (4), The~~
27 institution and the department shall report the information specified in

1 subsections (3) and (4) of this section on an individual student basis,
2 using each student's unique student identifier.

3 **SECTION 3.** In Colorado Revised Statutes, 23-1-108, **amend**
4 (1.5) (f) and (1.9) (a) (II) as follows:

5 **23-1-108. Duties and powers of the commission with regard to**
6 **systemwide planning.** (1.5) (f) (I) The commission shall ensure that the
7 master plan is implemented through the performance contracts authorized
8 pursuant to sections 23-5-129 and 23-41-104.6 by negotiating with the
9 governing boards individualized goals and expectations for the public
10 institutions of higher education, which goals and expectations support
11 achievement of the statewide goals identified in paragraph (c) of this
12 subsection (1.5) and in the master plan. The commission and the
13 governing boards shall ensure that the institutions' renegotiated
14 performance contracts are finalized no later than December 1, 2012.

15 (II) IN FULFILLING THE REQUIREMENTS OF PARAGRAPH (c) OF
16 SUBSECTION (1) OF THIS SECTION, THE COMMISSION SHALL REFER TO
17 EACH INSTITUTION'S ROLE AND MISSION AND SERVICE AREA, AS
18 NECESSARY, TO INTERPRET JOINTLY WITH THE INSTITUTION'S GOVERNING
19 BOARD THE IMPLICATIONS OF THE ROLE AND MISSION AND SERVICE AREA
20 ON THE ACADEMIC, FINANCIAL, AND STUDENT SERVICES ELEMENTS OF
21 EACH INSTITUTION'S PERFORMANCE CONTRACT.

22 (1.9) (a) (II) The commission's performance-based funding plan
23 shall specifically address the manner in which the appropriation of
24 performance-based funding will affect the college opportunity fund
25 stipends authorized in section 23-18-202 and the fee-for-service contracts
26 authorized in sections 23-1-109.7 and 23-5-130. IN FULFILLING THE
27 REQUIREMENTS OF SUBPARAGRAPH (I) OF THIS PARAGRAPH (a), THE

1 COMMISSION SHALL ANALYZE THE EFFECT OF MODIFYING THE COLLEGE
2 OPPORTUNITY FUND STIPEND AMOUNTS FOR PURPOSES OF IMPROVING
3 STUDENT RETENTION, FACILITATING THE SUCCESS OF TRANSFERS BETWEEN
4 INSTITUTIONS AND BETWEEN DEGREE PROGRAMS, AND PROVIDING
5 INCENTIVES FOR THE TIMELY COMPLETION OF ACADEMIC DEGREES. THE
6 MODIFICATIONS MAY INCLUDE, BUT NEED NOT BE LIMITED TO,
7 DIFFERENTIATING STIPEND AMOUNTS BASED ON EACH STUDENT'S STATUS
8 AS A FRESHMAN, SOPHOMORE, JUNIOR, OR SENIOR. IN ADDITION, THE
9 COMMISSION SHALL ANALYZE THE EFFECT OF LIMITING THE AMOUNT OF
10 FUNDING FOR CREDIT HOURS EARNED IN EXCESS OF ONE HUNDRED FORTY
11 CREDITS FOR A BACCALAUREATE DEGREE, OR SEVENTY HOURS FOR AN
12 ASSOCIATE DEGREE.

13 **SECTION 4.** In Colorado Revised Statutes, 23-18-202, **amend**
14 (5) (c), (5) (d) (I) (F), and (5) (d) (I) (G); and **add** (5) (d) (I) (H) as
15 follows:

16 **23-18-202. College opportunity fund - appropriations -**
17 **payment of stipends - reimbursement - repeal.** (5) (c) (I) An eligible
18 undergraduate student shall not receive a stipend from the college
19 opportunity fund for more than one hundred ~~forty-five~~ FORTY credit hours
20 during the eligible undergraduate student's lifetime; except that:

21 (A) If an eligible undergraduate student has received stipend
22 payments for one hundred ~~forty-five~~ FORTY credit hours and the student
23 has received a bachelor's degree, the eligible undergraduate student is
24 eligible to receive stipend payments for an additional thirty undergraduate
25 credit hours; and

26 (B) For credit hours initiated on or after July 1, 2006, an eligible
27 undergraduate student may receive stipend payments for basic skills

1 courses, as defined in ~~section 23-1-113 (1) (b) (H) (A.7)~~ SECTION
2 23-1-113 (11) (b), and courses taken pursuant to the "Concurrent
3 Enrollment Programs Act", article 35 of title 22, C.R.S. For a student who
4 enrolls in a course at an institution of higher education pursuant to the
5 "Concurrent Enrollment Programs Act", article 35 of title 22, C.R.S., the
6 student loan division in the department shall record the student's uniquely
7 identifying student number before submitting a stipend payment on behalf
8 of the student. Stipend payments received for the basic skills courses
9 specified in this sub-subparagraph (B) shall not apply to the lifetime
10 limitation of one hundred ~~forty-five~~ FORTY credit hours.

11 (II) For an eligible undergraduate student who is enrolled as a
12 continuing student at a state institution of higher education or a
13 participating private institution of higher education as of July 1, 2005, the
14 commission shall determine the number of credit hours for which the
15 student may receive a stipend from the college opportunity fund, based on
16 the number of credit hours the eligible undergraduate student has earned.

17 (III) For an eligible undergraduate student who has completed one
18 or more college courses while enrolled in high school pursuant to the
19 "Concurrent Enrollment Programs Act", article 35 of title 22, C.R.S., or
20 while designated by the department of education as an ASCENT program
21 participant pursuant to section 22-35-108, C.R.S., all college-level credit
22 hours earned by the student during such enrollment shall count against the
23 lifetime limitation described in subparagraph (I) of this paragraph (c);
24 except that credit hours earned from enrollment in a basic skills course,
25 as defined in ~~section 23-1-113 (1) (b) (H) (A.7)~~ SECTION 23-1-113 (11)
26 (b), shall not count against the lifetime limitation.

27 (d) (I) An eligible undergraduate student and an institution of

1 higher education shall not receive the payment of a stipend on behalf of
2 an eligible undergraduate student for:

3 (F) Off-campus, extended campus, or continuing education classes
4 that are not supported by state general fund moneys, except as approved
5 by the commission, and, on or after July 1, 2007, except for classes or
6 programs offered by an institution of higher education that has entered
7 into a performance contract with the department pursuant to section
8 23-5-129, and that an eligible undergraduate student who is a member of
9 the armed forces or a dependent of a member of the armed forces attends
10 for credit on a military base; ~~or~~

11 (G) Classes offered by an institution of higher education that was
12 established after July 1, 2007; OR

13 (H) A CLASS FOR WHICH THE ELIGIBLE UNDERGRADUATE STUDENT
14 HAS PREVIOUSLY ENROLLED TWO OR MORE TIMES AND RECEIVED AN
15 INCOMPLETE EACH TIME.

16 **SECTION 5.** In Colorado Revised Statutes, 23-3.3-102, **amend**
17 (2) as follows:

18 **23-3.3-102. Assistance program authorized - procedure -**
19 **audits.** (2) (a) The commission shall determine, by guideline, the
20 institutions eligible for participation in the program and shall annually
21 determine the amount allocated to each institution.

22 (b) AS SOON AS PRACTICABLE AFTER THE EFFECTIVE DATE OF THIS
23 PARAGRAPH (b), THE COMMISSION SHALL ADOPT POLICIES AND
24 PROCEDURES TO ENSURE THAT A STUDENT DOES NOT RECEIVE NEED-BASED
25 FINANCIAL AID FROM A STATE INSTITUTION, PARTICIPATING PRIVATE
26 INSTITUTION, OR PARTICIPATING NONPUBLIC INSTITUTION FOR:

27 (I) MORE THAN A TOTAL OF ONE HUNDRED FORTY

1 UNDERGRADUATE CREDIT HOURS FROM ANY COMBINATION OF
2 INSTITUTIONS DURING THE STUDENT'S LIFETIME; OR

3 (II) A CLASS FOR WHICH AN UNDERGRADUATE STUDENT HAS
4 PREVIOUSLY ENROLLED TWO OR MORE TIMES AND RECEIVED AN
5 INCOMPLETE EACH TIME.

6 **SECTION 6.** In Colorado Revised Statutes, 22-11-103, **amend**
7 (6) as follows:

8 **22-11-103. Definitions.** As used in this article, unless the context
9 otherwise requires:

10 (6) "Basic skills courses" ~~shall have~~ HAS the same meaning as
11 provided in ~~section 23-1-113 (1) (b) (II) (A.7)~~ SECTION 23-1-113 (11) (b),
12 C.R.S.

13 **SECTION 7.** In Colorado Revised Statutes, 22-35-103, **amend**
14 (2) as follows:

15 **22-35-103. Definitions.** As used in this article, unless the context
16 otherwise requires:

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

20 **SECTION 8. Act subject to petition - effective date.** This act
21 takes effect at 12:01 a.m. on the day following the expiration of the
22 ninety-day period after final adjournment of the general assembly (August
23 7, 2012, if adjournment sine die is on May 9, 2012); except that, if a
24 referendum petition is filed pursuant to section 1 (3) of article V of the
25 state constitution against this act or an item, section, or part of this act
26 within such period, then the act, item, section, or part will not take effect
27 unless approved by the people at the general election to be held in

- 1 November 2012 and, in such case, will take effect on the date of the
- 2 official declaration of the vote thereon by the governor.