

Second Regular Session
Sixty-eighth General Assembly
STATE OF COLORADO

INTRODUCED

LLS NO. 12-0028.01 Julie Pelegrin x2700

HOUSE BILL 12-1043

HOUSE SPONSORSHIP

Conti,

SENATE SPONSORSHIP

(None),

House Committees
Education

Senate Committees

A BILL FOR AN ACT

101 CONCERNING CONCURRENT ENROLLMENT FOR STUDENTS WHO MAY
102 COMPLETE HIGH SCHOOL GRADUATION REQUIREMENTS BEFORE
103 THE END OF TWELFTH GRADE.

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>.)

If, during a high school student's twelfth-grade year, the number of credit hours the student needs for graduation is less than full-time enrollment, the bill requires the school district, charter school, or board of cooperative services (local education provider) in which the student is

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.

enrolled to give the student the choice of graduating early, continuing to take high school courses, or concurrently enrolling for a maximum of 15 credit hours per semester in an institution of higher education (institution) that the student chooses. The student may continue to concurrently enroll until the student completes his or her twelfth-grade year.

The local education provider must enter into a collaborative agreement for concurrent enrollment with the student's selected institution, if possible. If the local education provider and the institution cannot complete a cooperative agreement, the student can concurrently enroll in any institution with which the local education provider has a cooperative agreement. If the local education provider does not have a cooperative agreement with an institution, it must enter into one.

Because the student has completed the graduation requirements, the student need not receive high school credit for the courses he or she completes through concurrent enrollment.

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

2 **SECTION 1.** In Colorado Revised Statutes, 22-35-104, **amend**
3 (1) (b), (2) (b), (3), (5), (6) (b) (IV), and (8); and **add** (1) (a.5) as follows:

4 **22-35-104. Enrollment in an institution of higher education -**
5 **cooperative agreement.** (1) (a.5) (I) IF, AT THE BEGINNING OF A
6 QUALIFIED STUDENT'S TWELFTH-GRADE YEAR, THE STUDENT HAS NOT
7 COMPLETED THE GRADUATION REQUIREMENTS ESTABLISHED BY THE
8 LOCAL EDUCATION PROVIDER, BUT THE NUMBER OF CREDIT HOURS
9 REQUIRED FOR THE STUDENT TO COMPLETE THE GRADUATION
10 REQUIREMENTS ARE LESS THAN FULL-TIME ENROLLMENT, THE QUALIFIED
11 STUDENT'S LOCAL EDUCATION PROVIDER SHALL ALLOW THE QUALIFIED
12 STUDENT AND THE STUDENT'S PARENTS OR LEGAL GUARDIAN TO DECIDE
13 WHETHER THE QUALIFIED STUDENT GRADUATES EARLY, CONTINUES
14 TAKING COURSES PROVIDED BY THE LOCAL EDUCATION PROVIDER, OR
15 REGISTERS WITH AND CONCURRENTLY ENROLLS FOR A MAXIMUM OF
16 FIFTEEN CREDIT HOURS PER SEMESTER IN AN INSTITUTION OF HIGHER
17 EDUCATION SELECTED BY THE QUALIFIED STUDENT AND THE STUDENT'S

1 PARENTS OR LEGAL GUARDIAN. A QUALIFIED STUDENT WHO CHOOSES TO
2 CONCURRENTLY ENROLL MAY CONTINUE TO CONCURRENTLY ENROLL
3 FULL-TIME UNTIL THE QUALIFIED STUDENT COMPLETES HIS OR HER
4 TWELFTH-GRADE YEAR.

5 (II) IF THE LOCAL EDUCATION PROVIDER DOES NOT HAVE A
6 COOPERATIVE AGREEMENT WITH THE QUALIFIED STUDENT'S SELECTED
7 INSTITUTION OF HIGHER EDUCATION, THE LOCAL EDUCATION PROVIDER
8 SHALL ATTEMPT TO ENTER INTO A COOPERATIVE AGREEMENT WITH THE
9 SELECTED INSTITUTION. IF THE LOCAL EDUCATION PROVIDER IS UNABLE TO
10 ENTER INTO A COOPERATIVE AGREEMENT WITH THE SELECTED INSTITUTION
11 OF HIGHER EDUCATION, THE QUALIFIED STUDENT MAY CHOOSE TO
12 CONCURRENTLY ENROLL IN ANY OTHER INSTITUTION OF HIGHER
13 EDUCATION WITH WHICH THE LOCAL EDUCATION PROVIDER HAS A
14 COLLABORATIVE AGREEMENT. IF THE LOCAL EDUCATION PROVIDER DOES
15 NOT HAVE A COLLABORATIVE AGREEMENT WITH AN INSTITUTION OF
16 HIGHER EDUCATION, IT SHALL ENTER INTO ONE.

17 (b) Each local education provider shall annually notify all students
18 and parents or legal guardians of students enrolled in the local education
19 provider of the opportunity for concurrent enrollment by qualified
20 students in postsecondary courses, including academic courses and career
21 and technical education courses, AND INCLUDING CONCURRENT
22 ENROLLMENT FOR A MAXIMUM OF FIFTEEN CREDIT HOURS PER SEMESTER
23 DURING A QUALIFIED STUDENT'S TWELFTH-GRADE YEAR AS PROVIDED IN
24 SUBPARAGRAPH (I) OF PARAGRAPH (a.5) OF THIS SUBSECTION (1).

25 (2) (b) If a superintendent of a school district, the superintendent's
26 designee, or a chief administrator of a district charter school, institute
27 charter school, or high school of a BOCES receives a timely application

1 from a qualified student pursuant to paragraph (a) of this subsection (2),
2 the superintendent, superintendent's designee, or chief administrator of a
3 district charter school, institute charter school, or high school of a
4 BOCES shall approve or disapprove the application and notify the student
5 of the decision; EXCEPT THAT THE SUPERINTENDENT, SUPERINTENDENT'S
6 DESIGNEE, OR CHIEF ADMINISTRATOR SHALL NOT DISAPPROVE A TIMELY
7 APPLICATION OF A QUALIFIED STUDENT WHO CHOOSES TO ENROLL
8 CONCURRENTLY PURSUANT TO PARAGRAPH (a.5) OF SUBSECTION (1) OF
9 THIS SECTION.

10 (3) A qualified student who seeks to concurrently enroll in an
11 institution of higher education AND WHO HAS NOT COMPLETED THE
12 REQUIREMENTS FOR GRADUATION shall establish, in consultation with the
13 administration of his or her local education provider, an academic plan of
14 study that describes all of the courses that the student intends to complete
15 to satisfy his or her remaining requirements for graduation from the local
16 education provider. Prior to the qualified student's concurrent enrollment
17 in the institution of higher education, the principal, a counselor, or a
18 teacher advisor of the qualified student's local education provider shall
19 approve the academic plan of study. In approving an academic plan of
20 study, a principal, counselor, or teacher advisor shall apply the guidelines
21 established by rules promulgated by the state board pursuant to section
22 22-35-111 (1) (b).

23 (5) A course successfully completed by a qualified student
24 through concurrent enrollment at an institution of higher education shall
25 count for credit toward the qualified student's high school graduation
26 requirements at his or her local education provider UNLESS THE QUALIFIED
27 STUDENT HAS ALREADY COMPLETED THE HIGH SCHOOL GRADUATION

1 REQUIREMENTS AS DESCRIBED IN PARAGRAPH (a.5) OF SUBSECTION (1) OF
2 THIS SECTION.

3 (6) (b) A cooperative agreement shall include, but need not be
4 limited to:

5 (IV) A requirement that the local education provider and the
6 institution of higher education establish an academic program of study for
7 each qualified student who concurrently enrolls in the institution, which
8 academic program of study shall include the academic plan of study, IF
9 ANY, established pursuant to subsection (3) of this section and a plan by
10 which the local education provider shall make available to the student
11 ongoing counseling and career planning;

12 (8) (a) A district charter school may elect to allow a qualified
13 student of the district charter school to concurrently enroll pursuant to the
14 provisions of a cooperative agreement that is entered into by either:

15 (I) The school district of the district charter school and an
16 institution of higher education; or

17 (II) The district charter school and an institution of higher
18 education.

19 (a.5) NOTWITHSTANDING ANY PROVISION OF THIS SUBSECTION (8)
20 TO THE CONTRARY, A DISTRICT CHARTER SCHOOL SHALL ALLOW A
21 QUALIFIED STUDENT OF THE DISTRICT CHARTER SCHOOL TO
22 CONCURRENTLY ENROLL PURSUANT TO THE PROVISIONS OF A
23 COOPERATIVE AGREEMENT AS PROVIDED IN PARAGRAPH (a.5) OF
24 SUBSECTION (1) OF THIS SECTION IF THE STUDENT MAKES A TIMELY
25 APPLICATION. THE COOPERATIVE AGREEMENT MAY BE BETWEEN THE
26 SCHOOL DISTRICT OF THE DISTRICT CHARTER SCHOOL AND AN INSTITUTION
27 OF HIGHER EDUCATION OR BETWEEN THE DISTRICT CHARTER SCHOOL AND

1 AN INSTITUTION OF HIGHER EDUCATION.

2 (b) If a district charter school elects OR IS REQUIRED to allow a
3 qualified student of the district charter school to concurrently enroll
4 pursuant to the provisions of a cooperative agreement that is entered into
5 by the school district of the district charter school and an institution of
6 higher education:

7 (I) The district charter school shall be responsible for paying the
8 tuition for each course that is completed by the qualified student pursuant
9 to the cooperative agreement; and

10 (II) The qualified student of the district charter school shall not
11 concurrently enroll unless, not later than sixty days before the end of the
12 academic term that immediately precedes the intended term of concurrent
13 enrollment, he or she applies for approval of concurrent enrollment from
14 the superintendent of the school district or his or her designee, and the
15 superintendent or his or her designee grants such approval or waives this
16 time limitation, as described in subsection (2) of this section; EXCEPT
17 THAT THE SUPERINTENDENT OR SUPERINTENDENT'S DESIGNEE SHALL NOT
18 DISAPPROVE THE TIMELY APPLICATION OF A QUALIFIED STUDENT WHO
19 CHOOSES TO ENROLL CONCURRENTLY PURSUANT TO PARAGRAPH (a.5) OF
20 SUBSECTION (1) OF THIS SECTION.

21 (c) If a district charter school elects OR IS REQUIRED to allow a
22 qualified student of the district charter school to concurrently enroll as
23 described in subparagraph (I) or (II) of paragraph (a) of this subsection
24 (8), nothing in this article shall be interpreted to entitle the district charter
25 school to any moneys from the school district of the district charter school
26 other than those moneys to which the district charter school is entitled
27 pursuant to the provisions of this title.

1 **SECTION 2.** In Colorado Revised Statutes, 22-35-105, **amend**
2 (2) introductory portion as follows:

3 **22-35-105. Financial provisions - payment of tuition.** (2) If a
4 qualified student concurrently enrolls in a course offered by an institution
5 of higher education, the institution shall be responsible for course content,
6 placement of the student in the course, and the quality of instruction. In
7 addition, because the qualified student is receiving academic credit at his
8 or her local education provider for the course pursuant to section
9 22-35-104 (5) OR THE QUALIFIED STUDENT HAS COMPLETED THE
10 GRADUATION REQUIREMENTS AND IS ENROLLING PURSUANT TO SECTION
11 22-35-104 (1) (a.5):

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