

**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. 12-0028.01 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, 22-32-109, **amend**

3 (1) (nn) as follows:

4 **22-32-109. Board of education - specific duties.** (1) In addition
5 to any other duty required to be performed by law, each board of
6 education shall have and perform the following specific duties:

7 (nn) To ensure that each student who enrolls in the sixth grade in
8 a public school of the school district, including but not limited to a district
9 charter school, on the day of enrollment is registered with the
10 state-provided, free on-line college planning and preparation resource,
11 commonly referred to as "CollegeInColorado.org". The school district,
12 the department of education, and the department of higher education shall
13 collaborate to monitor the implementation of this paragraph (nn) and to
14 ensure optimal interactivity between the various data bases and student
15 record systems employed by school districts and college in Colorado.
16 Each public school shall assist each student and his or her parent or legal
17 guardian to develop and maintain the student's individual career and

1 academic plan no later than the beginning of ninth grade but may assist
2 the student and his or her parent or legal guardian to develop and
3 maintain the student's individual career and academic plan in any grade
4 prior to ninth grade. AT A MINIMUM, EACH PUBLIC SCHOOL SHALL ENSURE
5 THAT, IN DEVELOPING AND MAINTAINING EACH STUDENT'S INDIVIDUAL
6 CAREER AND ACADEMIC PLAN, THE COUNSELOR OR TEACHER EXPLAINS TO
7 THE STUDENT AND THE STUDENT'S PARENT OR LEGAL GUARDIAN THE
8 REQUIREMENTS FOR AND BENEFITS OF CONCURRENTLY ENROLLING IN
9 COURSES WITH AN INSTITUTION OF HIGHER EDUCATION PURSUANT TO THE
10 "CONCURRENT ENROLLMENT PROGRAMS ACT", ARTICLE 35 OF THIS TITLE.
11 BASED ON A REQUEST FROM THE STUDENT OR THE STUDENT'S PARENT OR
12 LEGAL GUARDIAN, THE COUNSELOR OR TEACHER SHALL ASSIST THE
13 STUDENT IN COURSE PLANNING TO ENABLE THE STUDENT TO
14 CONCURRENTLY ENROLL IN COURSES WITH AN INSTITUTION OF HIGHER
15 EDUCATION.

16 **SECTION 2.** In Colorado Revised Statutes, 22-30.5-505, **amend**
17 (3) (f) as follows:

18 **22-30.5-505. State charter school institute - institute board -**
19 **appointment - powers and duties - rules.** (3) The mission of the
20 institute board shall be to foster high-quality public school choices
21 offered through institute charter schools, including particularly schools
22 that are focused on closing the achievement gap for at-risk students. In
23 discharging its duties pursuant to this part 5, the institute shall:

24 (f) Ensure that each student who enrolls in the sixth grade in an
25 institute charter school, on the day of enrollment, is registered with the
26 state-provided, free on-line college planning and preparation resource,
27 commonly referred to as "CollegeInColorado.org". The institute, the

1 department, and the department of higher education shall collaborate to
2 monitor the implementation of this paragraph (f) and to ensure optimal
3 interactivity between the various data bases and student record systems
4 employed by institute charter schools and college in Colorado. Each
5 institute charter school shall assist each student and his or her parent or
6 legal guardian to develop and maintain the student's individual career and
7 academic plan no later than the beginning of ninth grade but may assist
8 the student and his or her parent or legal guardian to develop and
9 maintain the student's individual career and academic plan in any grade
10 prior to ninth grade. AT A MINIMUM, EACH INSTITUTE CHARTER SCHOOL
11 SHALL ENSURE THAT, IN DEVELOPING AND MAINTAINING EACH STUDENT'S
12 INDIVIDUAL CAREER AND ACADEMIC PLAN, THE COUNSELOR OR TEACHER
13 EXPLAINS TO THE STUDENT AND THE STUDENT'S PARENT OR LEGAL
14 GUARDIAN THE REQUIREMENTS FOR AND BENEFITS OF CONCURRENTLY
15 ENROLLING IN COURSES WITH AN INSTITUTION OF HIGHER EDUCATION
16 PURSUANT TO THE "CONCURRENT ENROLLMENT PROGRAMS ACT",
17 ARTICLE 35 OF THIS TITLE. BASED ON A REQUEST FROM THE STUDENT OR
18 THE STUDENT'S PARENT OR LEGAL GUARDIAN, THE COUNSELOR OR
19 TEACHER SHALL ASSIST THE STUDENT IN COURSE PLANNING TO ENABLE
20 THE STUDENT TO CONCURRENTLY ENROLL IN COURSES WITH AN
21 INSTITUTION OF HIGHER EDUCATION.

22 **SECTION 3.** In Colorado Revised Statutes, **add 22-35-104.5** as
23 follows:

24 **22-35-104.5. Concurrent enrollment - early completion of high**
25 **school graduation requirements.** (1) AS USED IN THIS SECTION,
26 "ELIGIBLE QUALIFIED STUDENT" MEANS:

27 (a) A QUALIFIED STUDENT ENROLLED IN TWELFTH GRADE WHO

1 REQUIRES LESS THAN FULL-TIME ENROLLMENT TO COMPLETE THE
2 GRADUATION REQUIREMENTS ESTABLISHED BY THE LOCAL EDUCATION
3 PROVIDER AND IS APPROVED FOR ENROLLMENT IN POSTSECONDARY
4 COURSES BY THE COUNSELOR OR TEACHER WHO ASSISTS THE STUDENT IN
5 MAINTAINING THE STUDENT'S INDIVIDUAL CAREER AND ACADEMIC PLAN;
6 OR

7 (b) A QUALIFIED STUDENT WHO COMPLETES THE GRADUATION
8 REQUIREMENTS ESTABLISHED BY THE LOCAL EDUCATION PROVIDER BY THE
9 END OF THE FIRST SEMESTER OF THE QUALIFIED STUDENT'S
10 TWELFTH-GRADE YEAR AND IS APPROVED FOR ENROLLMENT IN
11 POSTSECONDARY COURSES BY THE COUNSELOR OR TEACHER WHO ASSISTS
12 THE STUDENT IN MAINTAINING THE STUDENT'S INDIVIDUAL CAREER AND
13 ACADEMIC PLAN.

14 (2) AT LEAST NINETY DAYS BEFORE THE END OF THE ACADEMIC
15 TERM THAT IMMEDIATELY PRECEDES THE INTENDED TERM OF
16 CONCURRENT ENROLLMENT, AN ELIGIBLE QUALIFIED STUDENT WHO
17 CHOOSES TO CONCURRENTLY ENROLL IN AN INSTITUTION OF HIGHER
18 EDUCATION SHALL SUBMIT TO THE SUPERINTENDENT OF THE STUDENT'S
19 SCHOOL DISTRICT OR THE SUPERINTENDENT'S DESIGNEE, OR, IF THE
20 ELIGIBLE QUALIFIED STUDENT IS ENROLLED IN A CHARTER SCHOOL OR A
21 SCHOOL OF A BOCES, TO THE CHIEF SCHOOL ADMINISTRATOR:

22 (a) AN APPLICATION TO CONCURRENTLY ENROLL IN AN
23 INSTITUTION OF HIGHER EDUCATION AND EVIDENCE THAT THE ELIGIBLE
24 QUALIFIED STUDENT MEETS OR, BY THE BEGINNING OF THE INTENDED
25 TERM OF CONCURRENT ENROLLMENT, WILL MEET THE REQUIREMENTS
26 SPECIFIED IN SUBSECTION (1) OF THIS SECTION;

27 (b) THE NAME OF THE INSTITUTION OF HIGHER EDUCATION THAT

1 THE ELIGIBLE QUALIFIED STUDENT HAS SELECTED; AND

2 (c) WRITTEN EVIDENCE THAT THE SELECTED INSTITUTION OF
3 HIGHER EDUCATION HAS AGREED TO CONCURRENTLY ENROLL THE
4 ELIGIBLE QUALIFIED STUDENT.

5 (3) NOTWITHSTANDING ANY PROVISION OF SECTION 22-35-104 TO
6 THE CONTRARY, THE SUPERINTENDENT, THE SUPERINTENDENT'S DESIGNEE,
7 OR THE CHIEF SCHOOL ADMINISTRATOR, WHICHEVER IS APPLICABLE, SHALL
8 AUTHORIZE AN ELIGIBLE QUALIFIED STUDENT WHO COMPLIES WITH THE
9 PROVISIONS OF SUBSECTION (2) OF THIS SECTION TO ENROLL
10 CONCURRENTLY.

11 (4) (a) EXCEPT AS OTHERWISE PROVIDED IN PARAGRAPH (b) OF
12 THIS SUBSECTION (4), IF THE LOCAL EDUCATION PROVIDER DOES NOT HAVE
13 A COOPERATIVE AGREEMENT WITH THE ELIGIBLE QUALIFIED STUDENT'S
14 SELECTED INSTITUTION OF HIGHER EDUCATION, THE LOCAL EDUCATION
15 PROVIDER SHALL ATTEMPT TO ENTER INTO A COOPERATIVE AGREEMENT
16 WITH THE SELECTED INSTITUTION.

17 (b) THE LOCAL EDUCATION PROVIDER IS NOT REQUIRED TO ENTER
18 INTO A COOPERATIVE AGREEMENT WITH THE ELIGIBLE QUALIFIED
19 STUDENT'S SELECTED INSTITUTION OF HIGHER EDUCATION IF:

20 (I) THE LOCAL EDUCATION PROVIDER HAS ATTEMPTED AND BEEN
21 UNABLE TO ENTER INTO A COOPERATIVE AGREEMENT WITH THE SELECTED
22 INSTITUTION OF HIGHER EDUCATION DURING THE SAME ACADEMIC YEAR,
23 IN WHICH CASE THE ELIGIBLE QUALIFIED STUDENT MAY SELECT A
24 DIFFERENT INSTITUTION OF HIGHER EDUCATION THAT HAS AGREED TO
25 CONCURRENTLY ENROLL THE ELIGIBLE QUALIFIED STUDENT, AND THE
26 LOCAL EDUCATION PROVIDER SHALL ATTEMPT TO ENTER INTO A
27 COOPERATIVE AGREEMENT WITH THE SELECTED INSTITUTION UNLESS THE

1 PROVISIONS OF THIS SUBPARAGRAPH (I) APPLY; OR

2 (II) THE LOCAL EDUCATION PROVIDER IS A PARTY TO AT LEAST
3 THREE COOPERATIVE AGREEMENTS; OR

4 (III) THE LOCAL EDUCATION PROVIDER IS A SCHOOL DISTRICT THAT
5 HAS A PUPIL ENROLLMENT OF FEWER THAN ONE THOUSAND STUDENTS AS
6 OF THE PUPIL ENROLLMENT COUNT DATE OF THE SCHOOL YEAR IN WHICH
7 THE ELIGIBLE QUALIFIED STUDENT SUBMITS THE INFORMATION SPECIFIED
8 IN SUBSECTION (2) OF THIS SECTION.

9 (c) IF THE LOCAL EDUCATION PROVIDER IS UNABLE OR IS NOT
10 REQUIRED PURSUANT TO THE PROVISIONS OF PARAGRAPH (b) OF THIS
11 SUBSECTION (4) TO ENTER INTO A COOPERATIVE AGREEMENT WITH THE
12 SELECTED INSTITUTION OF HIGHER EDUCATION, THE ELIGIBLE QUALIFIED
13 STUDENT MAY CHOOSE TO CONCURRENTLY ENROLL IN ANY OTHER
14 INSTITUTION OF HIGHER EDUCATION WITH WHICH THE LOCAL EDUCATION
15 PROVIDER HAS A COOPERATIVE AGREEMENT. IF THE LOCAL EDUCATION
16 PROVIDER DOES NOT HAVE A COOPERATIVE AGREEMENT WITH AN
17 INSTITUTION OF HIGHER EDUCATION, IT SHALL ENTER INTO ONE.

18 (5) AN ELIGIBLE QUALIFIED STUDENT WHO CONCURRENTLY
19 ENROLLS IN AN INSTITUTION OF HIGHER EDUCATION MAY CONTINUE TO
20 CONCURRENTLY ENROLL FULL-TIME UNTIL THE ELIGIBLE QUALIFIED
21 STUDENT COMPLETES HIS OR HER TWELFTH-GRADE YEAR; EXCEPT THAT
22 THE ELIGIBLE QUALIFIED STUDENT'S LOCAL EDUCATION PROVIDER MAY
23 RESTRICT THE NUMBER OF CREDIT HOURS IN WHICH THE ELIGIBLE
24 QUALIFIED STUDENT ENROLLS IF NECESSARY TO ENSURE THAT THE LOCAL
25 EDUCATION PROVIDER DOES NOT INCUR TUITION COSTS FOR THE ELIGIBLE
26 QUALIFIED STUDENT IN AN AMOUNT THAT EXCEEDS FORTY PERCENT OF
27 THE LOCAL EDUCATION PROVIDER'S PER PUPIL REVENUE FOR THE

1 APPLICABLE BUDGET YEAR.

2 (6) EACH LOCAL EDUCATION PROVIDER THAT ENROLLS QUALIFIED
3 STUDENTS SHALL ANNUALLY NOTIFY ALL QUALIFIED STUDENTS AND
4 PARENTS OR LEGAL GUARDIANS OF QUALIFIED STUDENTS OF THE
5 OPPORTUNITIES AND REQUIREMENTS FOR CONCURRENT ENROLLMENT
6 SPECIFIED IN THIS SECTION.

7 **SECTION 4. Safety clause.** The general assembly hereby finds,
8 determines, and declares that this act is necessary for the immediate
9 preservation of the public peace, health, and safety.