

Second Regular Session  
Sixty-ninth General Assembly  
STATE OF COLORADO

REVISED

*This Version Includes All Amendments Adopted  
on Second Reading in the Second House*

LLS NO. 14-0156.01 Julie Pelegrin x2700

HOUSE BILL 14-1085

HOUSE SPONSORSHIP

Fields, Exum, Pettersen

SENATE SPONSORSHIP

Zenzinger, Todd, Kefalas, Ulibarri

House Committees

Education  
Appropriations

Senate Committees

Education  
Appropriations

A BILL FOR AN ACT

101 CONCERNING ADULT EDUCATION, AND, IN CONNECTION THEREWITH,  
102 CREATING THE ADULT EDUCATION AND LITERACY GRANT  
103 PROGRAM TO PROVIDE STATE MONEYS FOR ADULT EDUCATION  
104 PROGRAMS THAT PARTICIPATE IN WORKFORCE DEVELOPMENT  
105 PARTNERSHIPS AND MAKING AND REDUCING APPROPRIATIONS.

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>.)*

**Economic Opportunity Poverty Reduction Task Force.** The bill

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.

SENATE  
2nd Reading Unamended  
May 2, 2014

HOUSE  
3rd Reading Unamended  
April 15, 2014

HOUSE  
Amended 2nd Reading  
April 14, 2014

creates the "Adult Education and Literacy Act of 2014". Under this new act, the office within the department of education that is responsible for adult education (office) will administer the adult education and literacy grant program to provide state moneys to adult education and literacy programs that provide basic literacy and numeracy skills programs and that are members of workforce development partnerships that provide additional education to enable students to achieve a postsecondary credential and employment.

A local education provider, which includes public education providers, postsecondary institutions, and local, nonprofit workforce development providers, may apply for a grant by submitting an application to the office. At a minimum, the application must demonstrate that the local education provider is a member of a workforce development partnership that provides training leading to employment opportunities for students after they attain basic skills. The application must also specify the measurable goals that the local education provider expects to achieve with the grant moneys. The state board of education (state board) will adopt rules to establish the requirements for the grant program.

The office will review each application and recommend grant recipients to the state board. Based on the office's recommendations, the state board will award grants. The office must annually evaluate the effectiveness of the programs that receive grants and prepare a report concerning the grant program for the governor, the state board, and the general assembly. The report must include an analysis of student outcomes and of the continuing unmet need for adult education in the state.

The office must periodically convene meetings of representatives from the state agencies and institutions and community-based programs that are involved with adult education and workforce development. The meetings are intended to increase communication and collaboration among these entities.

The bill creates the adult education and literacy grant fund, to consist of any gifts, grants, or donations the department of education may receive for adult education and literacy and any state moneys the general assembly may appropriate to the fund. The department is authorized to use a percentage of the moneys appropriated from the fund to offset the costs of administering the grants, evaluating the grant recipients and preparing the report, and convening the adult education and workforce development agencies and programs. The department is not required to implement any portion of the bill if the general assembly does not appropriate sufficient state moneys to offset the implementation costs.

The bill repeals the family literacy education grant program, effective July 1, 2014.

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

2 **SECTION 1.** In Colorado Revised Statutes, **recreate and**  
3 **reenact, with amendments,** article 10 of title 22 as follows:

4 **ARTICLE 10**

5 **Adult Education and Literacy**

6 **22-10-101. Short title.** THIS ARTICLE SHALL BE KNOWN AND MAY  
7 BE CITED AS THE "ADULT EDUCATION AND LITERACY ACT OF 2014".

8 **22-10-102. Legislative declaration.** (1) THE GENERAL ASSEMBLY  
9 FINDS THAT:

10 (a) INCREASED EDUCATIONAL ATTAINMENT IS A PROVEN PATHWAY  
11 OUT OF POVERTY. IN GENERAL, RESEARCH SHOWS THAT AVERAGE ANNUAL  
12 EARNINGS INCREASE AND UNEMPLOYMENT RATES DECREASE WITH EACH  
13 SUCCESSIVE LEVEL OF EDUCATION OR TRAINING THAT A PERSON ACHIEVES.

14 (b) POSTSECONDARY EDUCATION AND CREDENTIAL ATTAINMENT  
15 ARE INCREASINGLY CENTRAL TO A PERSON'S ABILITY TO EARN  
16 FAMILY-SUSTAINING WAGES, PARTICIPATE MORE FULLY IN COLORADO'S  
17 TWENTY-FIRST-CENTURY WORKFORCE, AND CONTRIBUTE TO THE STATE'S  
18 ECONOMIC HEALTH AND VITALITY;

19 (c) BOTH NATIONALLY AND IN COLORADO, PROJECTIONS INDICATE  
20 THAT BY 2025, TWO-THIRDS OF ALL JOBS WILL REQUIRE SOME LEVEL OF  
21 POSTSECONDARY EDUCATION OR TECHNICAL SKILL TRAINING;

22 (d) COLORADO HAS A SUBSTANTIAL "MIDDLE-SKILL GAP" IN ITS  
23 WORKFORCE. MIDDLE-SKILL JOBS REQUIRE SOME POSTSECONDARY  
24 EDUCATION OR TRAINING BUT LESS THAN A FOUR-YEAR DEGREE. THESE  
25 POSITIONS MAKE UP APPROXIMATELY FORTY-SEVEN PERCENT OF THE  
26 STATE'S JOBS, BUT ONLY THIRTY-SIX PERCENT OF COLORADO WORKERS  
27 HAVE THE TRAINING NECESSARY TO FILL THEM.

1 (e) BEFORE COLORADO CAN MEET ITS WORKFORCE, EDUCATIONAL  
2 ATTAINMENT, AND POVERTY-REDUCTION GOALS, THE STATE MUST  
3 ADDRESS THE NEED FOR ADULT EDUCATION. A SIGNIFICANT PERCENTAGE  
4 OF THE STATE'S WORKING-AGE POPULATION LACKS A HIGH SCHOOL  
5 DIPLOMA OR ITS EQUIVALENT. MANY OF THESE INDIVIDUALS DO NOT HAVE  
6 BASIC LITERACY OR NUMERACY SKILLS AND ARE UNPREPARED FOR  
7 PARTICIPATION IN POSTSECONDARY EDUCATION AND FOR PARTICIPATION  
8 IN THE TWENTY-FIRST-CENTURY WORKFORCE.

9 (f) EFFECTIVELY ADDRESSING THE NEED FOR ADULT EDUCATION  
10 REQUIRES THE APPROPRIATION OF STATE MONEYS TO FUND ADULT  
11 EDUCATION AND LITERACY PROGRAMS THAT PARTICIPATE IN WORKFORCE  
12 DEVELOPMENT PARTNERSHIPS. ALTHOUGH THERE ARE SEVERAL  
13 POSTSECONDARY PROGRAMS THAT FOCUS ON WORKFORCE DEVELOPMENT  
14 AND SKILLS ACQUISITION, THESE PROGRAMS TYPICALLY ASSUME THAT  
15 PARTICIPANTS ARE OR HAVE BEEN IN THE WORKFORCE IN SOME CAPACITY  
16 AND HAVE ALREADY ATTAINED A BASE LEVEL OF LITERACY AND  
17 NUMERACY. ADULT EDUCATION AND LITERACY PROGRAMS, HOWEVER,  
18 ARE TYPICALLY DESIGNED FOR ADULTS WHO HAVE BEEN UNABLE TO ENTER  
19 THE WORKFORCE IN A MEANINGFUL CAPACITY DUE TO A LACK OF BASIC  
20 LITERACY AND NUMERACY SKILLS.

21 (g) IN RETURN FOR STATE INVESTMENT IN ADULT EDUCATION AND  
22 LITERACY PROGRAMS, THESE PROGRAMS MUST REFOCUS THEIR MISSION TO  
23 ENSURE THAT MORE LOW-SKILLED, LOW-INCOME ADULTS NOT ONLY  
24 ATTAIN THE BASIC LITERACY AND NUMERACY SKILLS THAT THEY LACK,  
25 BUT THAT THEY MOVE AS QUICKLY AS POSSIBLE FROM SKILL ACQUISITION  
26 TO POSTSECONDARY CREDENTIAL ATTAINMENT TO EMPLOYMENT; AND

27 (h) SUCCESSFULLY REFOCUSING THE MISSION OF ADULT

1 EDUCATION AND LITERACY PROGRAMS REQUIRES THE ACTIVE  
2 COLLABORATION AND COORDINATION OF A VARIETY OF STATE AGENCIES  
3 AND ORGANIZATIONS THAT ARE INVOLVED IN ADULT EDUCATION AND  
4 LITERACY, POSTSECONDARY EDUCATION, TRAINING AND CREDENTIAL  
5 ATTAINMENT, WORKFORCE DEVELOPMENT, ECONOMIC DEVELOPMENT, AND  
6 HUMAN SERVICES.

7 (2) THE GENERAL ASSEMBLY FINDS, THEREFORE, THAT IT IS IN THE  
8 BEST INTERESTS OF THE STATE TO ESTABLISH AN ADULT EDUCATION AND  
9 LITERACY GRANT PROGRAM TO PROVIDE STATE FUNDING FOR PUBLIC AND  
10 PRIVATE NONPROFIT ADULT EDUCATION AND LITERACY PROGRAMS.  
11 INVESTING IN THESE PROGRAMS WILL ENABLE THEM TO SERVE A LARGER  
12 SHARE OF THE STATE'S ELIGIBLE ADULT POPULATION AND ENSURE THAT  
13 MORE ADULTS CAN REACH AND COMPLETE THE NEXT LEVEL OF EDUCATION  
14 AND TRAINING, THEREBY LEADING TO BETTER EMPLOYMENT OUTCOMES  
15 THAT ENABLE MORE LOW-INCOME, LOW-LITERACY ADULTS TO  
16 ULTIMATELY ACHIEVE ECONOMIC SELF-SUFFICIENCY.

17 **22-10-103. Definitions.** AS USED IN THIS ARTICLE, UNLESS THE  
18 CONTEXT OTHERWISE REQUIRES:

19 (1) "ADULT EDUCATION AND LITERACY PROGRAMS" MEANS  
20 PROGRAMS THAT PROVIDE ADULT BASIC EDUCATION, ADULT EDUCATION  
21 LEADING TO A HIGH SCHOOL EQUIVALENCY CREDENTIAL, ENGLISH AS A  
22 SECOND LANGUAGE INSTRUCTION, OR INTEGRATED BASIC EDUCATION AND  
23 SKILLS TRAINING.

24 (2) "DEPARTMENT" MEANS THE DEPARTMENT OF EDUCATION  
25 CREATED AND EXISTING PURSUANT TO SECTION 24-1-115, C.R.S.

26 (3) "ELIGIBLE ADULT" MEANS A PERSON WHO:

27 (a) IS AT LEAST SEVENTEEN YEARS OF AGE;

1 (b) IS NOT ENROLLED IN A PUBLIC OR PRIVATE SECONDARY  
2 SCHOOL; AND

3 (c) (I) LACKS A HIGH SCHOOL DIPLOMA OR ITS EQUIVALENT; OR

4 (II) IS IN NEED OF ENGLISH LANGUAGE INSTRUCTION; OR

5 (III) LACKS SUFFICIENT MASTERY OF THE BASIC LITERACY AND  
6 NUMERACY SKILLS NECESSARY TO ENABLE THE PERSON TO FUNCTION  
7 EFFECTIVELY IN THE WORKPLACE.

8 (4) "ENGLISH LANGUAGE INSTRUCTION" MEANS INSTRUCTION THAT  
9 IS DESIGNED TO ASSIST A PERSON WITH LIMITED ENGLISH PROFICIENCY TO  
10 ACHIEVE COMPETENCE IN THE ENGLISH LANGUAGE, THUS ALLOWING THE  
11 PERSON TO UNDERSTAND AND NAVIGATE GOVERNMENTAL, EDUCATIONAL,  
12 AND WORKPLACE SYSTEMS.

13 (5) "GRANT PROGRAM" MEANS THE ADULT EDUCATION AND  
14 LITERACY GRANT PROGRAM CREATED IN SECTION 22-10-104.

15 (6) "LITERACY" MEANS A PERSON'S ABILITY TO READ, WRITE, AND  
16 SPEAK ENGLISH AT LEVELS OF PROFICIENCY THAT ARE NECESSARY TO  
17 FUNCTION ON THE JOB AND IN SOCIETY, ACHIEVE THE PERSON'S GOALS,  
18 AND DEVELOP THE PERSON'S KNOWLEDGE AND POTENTIAL.

19 (7) "LOCAL EDUCATION PROVIDER" MEANS ONE OF THE FOLLOWING  
20 ENTITIES THAT THE DEPARTMENT RECOGNIZES AS PROVIDING APPROPRIATE  
21 AND EFFECTIVE ADULT EDUCATION AND LITERACY PROGRAMS:

22 (a) A SECONDARY OR POSTSECONDARY, PUBLIC OR PRIVATE,  
23 NONPROFIT EDUCATIONAL ENTITY, INCLUDING BUT NOT LIMITED TO A  
24 SCHOOL DISTRICT, CHARTER SCHOOL, BOARD OF COOPERATIVE SERVICES,  
25 STATE INSTITUTION OF HIGHER EDUCATION, JUNIOR COLLEGE, AND AREA  
26 VOCATIONAL SCHOOL;

27 (b) A COMMUNITY-BASED, NONPROFIT AGENCY OR ORGANIZATION;

- 1 (c) A LIBRARY;
- 2 (d) A LITERACY COUNCIL OR OTHER LITERACY INSTITUTE;
- 3 (e) A BUSINESS OR BUSINESS ASSOCIATION THAT PROVIDES ADULT  
4 EDUCATION AND LITERACY PROGRAMS EITHER ON-SITE OR OFF-SITE;
- 5 (f) A VOLUNTEER LITERACY ORGANIZATION;
- 6 (g) A WORK FORCE BOARD, AS DEFINED IN SECTION 8-83-203,  
7 C.R.S., THAT OVERSEES A WORK FORCE INVESTMENT PROGRAM DESCRIBED  
8 IN THE "COLORADO WORK FORCE INVESTMENT ACT", PART 2 OF ARTICLE  
9 83 OF TITLE 8, C.R.S.;
- 10 (h) A ONE-STOP PARTNER, AS DESCRIBED IN SECTION 8-83-216,  
11 C.R.S., UNDER THE "COLORADO WORK FORCE INVESTMENT ACT", PART  
12 2 OF ARTICLE 83 OF TITLE 8, C.R.S.; OR
- 13 (i) A CONSORTIA OF ENTITIES DESCRIBED IN THIS SUBSECTION (7).
- 14 (8) "NUMERACY" MEANS A PERSON'S ABILITY TO COMPUTE AND  
15 SOLVE MATHEMATICAL PROBLEMS AT LEVELS OF PROFICIENCY THAT ARE  
16 NECESSARY TO FUNCTION ON THE JOB AND IN SOCIETY, ACHIEVE THE  
17 PERSON'S GOALS, AND DEVELOP THE PERSON'S KNOWLEDGE AND  
18 POTENTIAL.
- 19 (9) "OFFICE" MEANS THE OFFICE WITHIN THE DEPARTMENT THAT  
20 IS RESPONSIBLE FOR ADULT EDUCATION.
- 21 (10) "STATE BOARD" MEANS THE STATE BOARD OF EDUCATION  
22 CREATED IN SECTION 1 OF ARTICLE IX OF THE STATE CONSTITUTION.
- 23 (11) (a) "WORKFORCE DEVELOPMENT PARTNERSHIP" MEANS A  
24 COLLABORATION THAT ASSISTS ADULTS IN ATTAINING BASIC LITERACY  
25 AND NUMERACY SKILLS LEADING TO ADDITIONAL SKILL ACQUISITION,  
26 POSTSECONDARY CREDENTIALS, AND EMPLOYMENT. AT A MINIMUM, A  
27 WORKFORCE DEVELOPMENT PARTNERSHIP MUST INCLUDE AT LEAST ONE

1     LOCAL EDUCATION PROVIDER, AT LEAST ONE POSTSECONDARY EDUCATION  
2     OR TRAINING PROVIDER, AND AT LEAST ONE WORKFORCE DEVELOPMENT  
3     PROVIDER.

4             (b) FOR PURPOSES OF THIS SUBSECTION (11), A POSTSECONDARY  
5     EDUCATION OR TRAINING PROVIDER INCLUDES, BUT NEED NOT BE LIMITED  
6     TO:

7             (I) A STATE INSTITUTION OF HIGHER EDUCATION, JUNIOR COLLEGE,  
8     OR AREA VOCATIONAL SCHOOL;

9             (II) AN APPRENTICESHIP PROGRAM;

10            (III) AN ENTITY THAT PROVIDES ACCELERATED EDUCATION AND  
11     SKILLS TRAINING CERTIFICATE PROGRAMS CREATED PURSUANT TO PART 9  
12     OF ARTICLE 60 OF TITLE 23, C.R.S.;

13            (IV) AN ENTITY THAT OPERATES PROGRAMS THROUGH THE  
14     MANUFACTURING CAREER PATHWAY ESTABLISHED BY THE STATE BOARD  
15     FOR COMMUNITY COLLEGES AND OCCUPATIONAL EDUCATION AS PROVIDED  
16     IN PART 10 OF ARTICLE 60 OF TITLE 23, C.R.S.; AND

17            (V) A COMMUNITY-BASED WORKFORCE DEVELOPMENT PROGRAM  
18     THAT IS OPERATED THROUGH THE COLORADO CUSTOMIZED TRAINING  
19     PROGRAM CREATED IN SECTION 23-60-306, C.R.S.

20            (c) FOR PURPOSES OF THIS SUBSECTION (11), A WORKFORCE  
21     DEVELOPMENT PROVIDER INCLUDES, BUT NEED NOT BE LIMITED TO:

22            (I) A WORK FORCE INVESTMENT PROGRAM DESCRIBED IN THE  
23     "COLORADO WORK FORCE INVESTMENT ACT", PART 2 OF ARTICLE 83 OF  
24     TITLE 8, C.R.S.; AND

25            (II) A PROGRAM THAT IS SUPPORTED BY THE STATE WORK FORCE  
26     DEVELOPMENT COUNCIL CREATED IN ARTICLE 46.3 OF TITLE 24, C.R.S.

27            **22-10-104. Adult education and literacy grant program -**



1     **created - rules.** (1) (a) THERE IS CREATED IN THE OFFICE THE ADULT  
2     EDUCATION AND LITERACY GRANT PROGRAM TO PROVIDE FUNDING FOR  
3     LOCAL EDUCATION PROVIDERS THAT ARE MEMBERS OF WORKFORCE  
4     DEVELOPMENT PARTNERSHIPS THROUGH WHICH ELIGIBLE ADULTS RECEIVE  
5     BASIC EDUCATION IN LITERACY AND NUMERACY THAT LEADS TO  
6     ADDITIONAL SKILLS ACQUISITION, POSTSECONDARY CREDENTIAL  
7     ATTAINMENT, AND EMPLOYMENT.

8             (b) A LOCAL EDUCATION PROVIDER MAY APPLY TO THE OFFICE TO  
9     RECEIVE A GRANT PURSUANT TO THIS ARTICLE IN ACCORDANCE WITH THE  
10    RULES, PROCEDURES, FORMS, AND TIMELINES ADOPTED BY THE STATE  
11    BOARD. THE OFFICE SHALL REVIEW EACH APPLICATION AND RECOMMEND  
12    APPROPRIATE GRANT RECIPIENTS TO THE STATE BOARD.

13            (c) SUBJECT TO AVAILABLE APPROPRIATIONS, THE STATE BOARD,  
14    TAKING INTO CONSIDERATION THE RECOMMENDATIONS OF THE OFFICE,  
15    SHALL AWARD ADULT EDUCATION AND LITERACY GRANTS TO LOCAL  
16    EDUCATION PROVIDERS. THE GRANTS AWARDED ARE PAYABLE FROM THE  
17    ADULT EDUCATION AND LITERACY GRANT FUND CREATED IN SECTION  
18    22-10-107. THE STATE BOARD SHALL ESTABLISH THE AMOUNT AND  
19    DURATION OF EACH GRANT AWARDED AND MAY AWARD A GRANT FOR  
20    MULTIPLE FISCAL YEARS, SUBJECT TO ANNUAL RENEWAL. A GRANT  
21    RECIPIENT THAT RECEIVES A MULTI-YEAR GRANT MUST ANNUALLY SUBMIT  
22    TO THE OFFICE THE NECESSARY INFORMATION TO DETERMINE WHETHER  
23    THE GRANT RECIPIENT IS MAKING SUFFICIENT PROGRESS TOWARD  
24    ACHIEVING THE GOALS OF THE ADULT EDUCATION AND LITERACY  
25    PROGRAM THAT WERE SPECIFIED IN THE GRANT APPLICATION. IF THE  
26    OFFICE FINDS THAT A GRANT RECIPIENT IS NOT MAKING SUFFICIENT  
27    PROGRESS TOWARD ACHIEVING THE GOALS, THE STATE BOARD SHALL NOT

1 RENEW THE GRANT FOR SUBSEQUENT FISCAL YEARS.

2 (d) A LOCAL EDUCATION PROVIDER MAY USE GRANT MONEYS  
3 RECEIVED PURSUANT TO THIS ARTICLE IN COMBINATION WITH ANY  
4 MONEYS RECEIVED FROM OTHER PUBLIC OR PRIVATE SOURCES. A LOCAL  
5 EDUCATION PROVIDER MAY USE GRANT MONEYS RECEIVED PURSUANT TO  
6 THIS ARTICLE ON BEHALF OF A STUDENT WHO IS ENROLLED IN OR HAS  
7 COMPLETED THE ADULT EDUCATION AND LITERACY PROGRAM AND IS  
8 RECEIVING TRAINING FROM A POSTSECONDARY EDUCATION OR TRAINING  
9 PROVIDER OR FROM A WORKFORCE DEVELOPMENT PROVIDER THAT  
10 PARTICIPATES IN THE WORKFORCE DEVELOPMENT PARTNERSHIP WITH THE  
11 LOCAL EDUCATION PROVIDER.

12 (2) THE STATE BOARD, IN ACCORDANCE WITH THE "STATE  
13 ADMINISTRATIVE PROCEDURE ACT", ARTICLE 4 OF TITLE 24, C.R.S.,  
14 SHALL PROMULGATE RULES TO IMPLEMENT THE GRANT PROGRAM, WHICH  
15 RULES MUST INCLUDE:

16 (a) THE TIME FRAMES FOR SUBMITTING APPLICATIONS, REVIEWING  
17 APPLICATIONS, AND AWARDING GRANTS;

18 (b) THE GRANT APPLICATION REQUIREMENTS. AT A MINIMUM:

19 (I) EACH APPLICANT MUST DEMONSTRATE THAT IT IS AN ACTIVE  
20 MEMBER OF A WORKFORCE DEVELOPMENT PARTNERSHIP THROUGH WHICH  
21 STUDENTS RECEIVE BASIC EDUCATION IN LITERACY AND NUMERACY THAT  
22 LEADS TO ADDITIONAL SKILLS ACQUISITION, POSTSECONDARY CREDENTIAL  
23 ATTAINMENT, AND EMPLOYMENT; AND

24 (II) EACH APPLICATION MUST SPECIFY THE MEASURABLE GOALS OF  
25 THE ADULT EDUCATION AND LITERACY PROGRAM THAT THE APPLYING  
26 LOCAL EDUCATION PROVIDER EXPECTS TO ACHIEVE USING THE GRANT  
27 MONEYS;

1 (c) ANY FACTORS IN ADDITION TO THOSE LISTED IN SUBSECTION (3)  
2 OF THIS SECTION THAT THE OFFICE MAY CONSIDER IN RECOMMENDING  
3 GRANT RECIPIENTS TO THE STATE BOARD AND THAT THE STATE BOARD  
4 MAY CONSIDER IN AWARDING GRANTS;

5 (d) THE BASIS FOR ESTABLISHING THE AMOUNT AND DURATION OF  
6 EACH GRANT;

7 (e) THE INFORMATION THAT EACH GRANT RECIPIENT MUST SUBMIT  
8 TO THE OFFICE TO EVALUATE THE RECIPIENT'S USE OF THE GRANT AND TO  
9 PREPARE THE REPORT REQUIRED IN SECTION 22-10-105; AND

10 (f) ANY ADDITIONAL RULES THAT THE STATE BOARD FINDS ARE  
11 NECESSARY TO IMPLEMENT THE GRANT PROGRAM.

12 (3) THE OFFICE, IN EVALUATING GRANT APPLICATIONS, AND THE  
13 STATE BOARD, IN AWARDING GRANTS, MAY CONSIDER, AT A MINIMUM, THE  
14 FOLLOWING FACTORS:

15 (a) THE PERCENTAGE OF ELIGIBLE ADULTS EXPECTED TO BE  
16 ENROLLED IN THE ADULT EDUCATION AND LITERACY PROGRAMS FUNDED  
17 BY THE GRANT WHO ARE MEMBERS OF MINORITY GROUPS;

18 (b) THE PERCENTAGE OF ELIGIBLE ADULTS IN THE AREA TO BE  
19 SERVED USING GRANT MONEYS WHO DO NOT HAVE HIGH SCHOOL  
20 DIPLOMAS OR THE EQUIVALENT AND WHO ARE NOT CURRENTLY ENROLLED  
21 IN ADULT EDUCATION AND LITERACY PROGRAMS;

22 (c) (I) THE PERCENTAGE OF ELIGIBLE ADULTS EXPECTED TO BE  
23 ENROLLED IN THE ADULT EDUCATION AND LITERACY PROGRAMS FUNDED  
24 BY THE GRANT WHO ARE RECEIVING EITHER STATE OR FEDERAL PUBLIC  
25 ASSISTANCE; OR

26 (II) THE PERCENTAGE OF ELIGIBLE ADULTS IN THE AREA TO BE  
27 SERVED WHO ARE UNEMPLOYED WORKERS; AND

1 (d) THE DEMONSTRATED SUCCESS OF THE LOCAL EDUCATION  
2 PROVIDER IN ENABLING ADULTS TO ATTAIN BASIC LITERACY AND  
3 NUMERACY SKILLS AND IN ASSISTING THEM, THROUGH COLLABORATION  
4 WITH POSTSECONDARY EDUCATION OR TRAINING PROVIDERS AND  
5 WORKFORCE DEVELOPMENT PROVIDERS, TO ACHIEVE ADDITIONAL SKILLS  
6 ATTAINMENT, POSTSECONDARY CREDENTIAL ATTAINMENT, AND  
7 EMPLOYMENT.

8 **22-10-105. Evaluation of grants - report.** (1) (a) THE OFFICE  
9 SHALL ANNUALLY REVIEW THE INFORMATION RECEIVED FROM ADULT  
10 EDUCATION AND LITERACY GRANT RECIPIENTS TO EVALUATE THE  
11 EFFECTIVENESS OF THE PROGRAMS THAT RECEIVE GRANTS IN MEETING THE  
12 GOALS SET FOR THE PROGRAMS IN THE GRANT APPLICATIONS. THE OFFICE  
13 SHALL REPORT ITS CONCLUSIONS TO THE STATE BOARD FOR PURPOSES OF  
14 EVALUATING ONGOING GRANTS.

15 (b) THE DEPARTMENT MAY AUDIT THE RECORDS AND ACCOUNTS  
16 OF GRANT RECIPIENTS RELATING TO GRANTS AWARDED PURSUANT TO THIS  
17 ARTICLE. A LOCAL EDUCATION PROVIDER SHALL MAKE THE RECORDS AND  
18 ACCOUNTS AVAILABLE TO THE DEPARTMENT UPON REQUEST.

19 (c) UPON COMPLETING AN ADULT EDUCATION AND LITERACY  
20 PROGRAM FUNDED, IN WHOLE OR IN PART, BY A GRANT AWARDED  
21 PURSUANT TO THIS ARTICLE, A LOCAL EDUCATION PROVIDER SHALL  
22 REPORT TO THE DEPARTMENT THE SAME INFORMATION CONCERNING THE  
23 STATE-FUNDED PROGRAM AS IS REQUIRED BY TITLE II OF THE FEDERAL  
24 "WORKFORCE INVESTMENT ACT OF 1998", AS AMENDED, 20 U.S.C. SEC.  
25 9201 ET SEQ., FOR FEDERALLY FUNDED PROGRAMS. THE DEPARTMENT MAY  
26 REQUEST SUCH ADDITIONAL INFORMATION AS MAY BE REQUIRED BY RULE  
27 OF THE STATE BOARD.

1           (2) (a) THE OFFICE SHALL PREPARE AN ANNUAL REPORT  
2 CONCERNING THE GRANT PROGRAM THAT, AT A MINIMUM, ADDRESSES THE  
3 USE, ALLOCATION, AND OUTCOMES OF THE GRANT MONEYS, INCLUDING  
4 THE EFFECTIVENESS OF EACH PROGRAM THAT RECEIVES A GRANT AND THE  
5 CONTINUING LEVEL OF UNMET NEED FOR ADULT EDUCATION WITHIN THE  
6 STATE. IN EVALUATING PROGRAM OUTCOMES, THE OFFICE MAY CONSIDER,  
7 BUT NEED NOT BE LIMITED TO CONSIDERING, STUDENT PARTICIPATION,  
8 COMPLETION, EDUCATIONAL ATTAINMENT, EMPLOYMENT, AND  
9 POVERTY-REDUCTION DATA AND ANALYSIS. THE REPORT MUST ALSO  
10 INCLUDE AN OVERVIEW OF THE COLLABORATION EFFORTS OF THE OFFICE,  
11 THE DEPARTMENT OF HIGHER EDUCATION, THE DEPARTMENT OF LABOR  
12 AND EMPLOYMENT, THE COMMUNITY COLLEGE SYSTEM, OTHER LOCAL  
13 EDUCATION PROVIDERS, OTHER POSTSECONDARY EDUCATION OR TRAINING  
14 PROVIDERS, AND OTHER WORKFORCE DEVELOPMENT PROVIDERS IN  
15 MEETING THE STATE'S NEED FOR ADULT EDUCATION AND LITERACY  
16 PROGRAMS AND WORKFORCE DEVELOPMENT.

17           (b) THE OFFICE SHALL SUBMIT THE REPORT TO THE GOVERNOR'S  
18 OFFICE; THE STATE BOARD; THE JOINT BUDGET COMMITTEE OF THE  
19 GENERAL ASSEMBLY; THE EDUCATION COMMITTEES OF THE SENATE AND  
20 THE HOUSE OF REPRESENTATIVES, OR ANY SUCCESSOR COMMITTEES; THE  
21 BUSINESS, LABOR, AND TECHNOLOGY COMMITTEE OF THE SENATE, OR ANY  
22 SUCCESSOR COMMITTEE; AND THE BUSINESS, LABOR, ECONOMIC, AND  
23 WORKFORCE DEVELOPMENT COMMITTEE OF THE HOUSE OF  
24 REPRESENTATIVES, OR ANY SUCCESSOR COMMITTEE. THE OFFICE SHALL  
25 ALSO POST THE REPORT ON THE DEPARTMENT'S WEB SITE FOR PUBLIC  
26 VIEWING.

27           **22-10-106. Adult education and literacy - workforce**

1     **development - meetings.** (1) THE OFFICE SHALL CONVENE PERIODIC  
2 MEETINGS OF REPRESENTATIVES OF, AT A MINIMUM, THE DEPARTMENT OF  
3 HIGHER EDUCATION, THE DEPARTMENT OF LABOR AND EMPLOYMENT, THE  
4 COMMUNITY COLLEGE SYSTEM, OTHER LOCAL EDUCATION PROVIDERS,  
5 OTHER POSTSECONDARY EDUCATION OR TRAINING PROVIDERS, AND OTHER  
6 WORKFORCE DEVELOPMENT PROVIDERS TO DISCUSS, AT A MINIMUM:

7           (a)     WAYS TO INCREASE THE COMMUNICATION AND  
8 COLLABORATION AMONG ADULT EDUCATION AND LITERACY PROGRAMS,  
9 POSTSECONDARY EDUCATION OR TRAINING PROGRAMS, AND WORKFORCE  
10 DEVELOPMENT PROGRAMS WITHIN THE STATE; AND

11           (b)     THE STATE'S WORKFORCE DEVELOPMENT NEEDS AND THE  
12 LEVELS OF UNMET NEED FOR ADULT EDUCATION WITHIN THE STATE,  
13 INCLUDING IDENTIFYING PARTICULAR AREAS OF THE STATE WITH  
14 SIGNIFICANT UNMET ADULT EDUCATION NEEDS.

15           **22-10-107. Adult education and literacy grant fund - created.**

16           (1) (a) THERE IS HEREBY CREATED IN THE STATE TREASURY THE ADULT  
17 EDUCATION AND LITERACY GRANT FUND, REFERRED TO IN THIS SECTION AS  
18 THE "FUND", CONSISTING OF:

19                   (I) ANY MONEYS RECEIVED BY THE DEPARTMENT PURSUANT TO  
20 SUBSECTION (2) OF THIS SECTION;

21                   (II) ANY MONEYS TRANSFERRED TO THE FUND PURSUANT TO  
22 SECTION 22-2-124 (10), AS IT EXISTED BEFORE JULY 1, 2014; AND

23                   (III) ANY MONEYS THAT THE GENERAL ASSEMBLY MAY  
24 APPROPRIATE TO THE FUND.

25           (b)     THE MONEYS IN THE FUND ARE SUBJECT TO ANNUAL  
26 APPROPRIATION BY THE GENERAL ASSEMBLY TO THE DEPARTMENT FOR  
27 THE DIRECT AND INDIRECT COSTS ASSOCIATED WITH IMPLEMENTING THIS

1 ARTICLE.

2

3 (c) NOTWITHSTANDING ANY PROVISION OF THIS ARTICLE TO THE  
4 CONTRARY, THE DEPARTMENT, THE OFFICE, AND THE STATE BOARD ARE  
5 NOT REQUIRED TO IMPLEMENT THE PROVISIONS OF THIS ARTICLE UNLESS  
6 THE GENERAL ASSEMBLY APPROPRIATES SUFFICIENT STATE MONEYS TO  
7 THE FUND TO OFFSET THE COSTS OF IMPLEMENTING THE ARTICLE.

8 (d) THE STATE TREASURER MAY INVEST, AS PROVIDED BY LAW,  
9 ANY MONEYS IN THE FUND NOT EXPENDED FOR THE PURPOSE OF THIS  
10 ARTICLE. THE STATE TREASURER SHALL CREDIT ALL INTEREST AND  
11 INCOME DERIVED FROM THE INVESTMENT AND DEPOSIT OF MONEYS IN THE  
12 FUND TO THE FUND. ANY UNEXPENDED AND UNENCUMBERED MONEYS  
13 REMAINING IN THE FUND AT THE END OF A FISCAL YEAR MUST REMAIN IN  
14 THE FUND AND SHALL NOT BE CREDITED OR TRANSFERRED TO THE  
15 GENERAL FUND OR ANOTHER FUND.

16 (2) THE DEPARTMENT MAY RECEIVE AND EXPEND GIFTS,  
17 DONATIONS, OR GRANTS OF ANY KIND FROM ANY PUBLIC OR PRIVATE  
18 ENTITY TO CARRY OUT THE PURPOSES OF THIS ARTICLE, SUBJECT TO THE  
19 TERMS AND CONDITIONS UNDER WHICH GIVEN; EXCEPT THAT THE  
20 DEPARTMENT SHALL NOT ACCEPT A GIFT, DONATION, OR GRANT IF THE  
21 CONDITIONS ATTACHED TO THE GIFT, DONATION, OR GRANT REQUIRE THE  
22 USE OR EXPENDITURE OF THE GIFT, DONATION, OR GRANT IN A MANNER  
23 CONTRARY TO LAW. THE DEPARTMENT SHALL TRANSMIT TO THE STATE  
24 TREASURER ANY GIFTS, DONATIONS, OR GRANTS RECEIVED PURSUANT TO  
25 THIS SUBSECTION (2), AND THE STATE TREASURER SHALL CREDIT THESE  
26 AMOUNTS TO THE FUND. IMPLEMENTATION OF THE GRANT PROGRAM IS  
27 NOT CONDITIONED ON THE RECEIPT OF GIFTS, DONATIONS, OR GRANTS

1 PURSUANT TO THIS SUBSECTION (2).

2 **SECTION 2.** In Colorado Revised Statutes, 22-2-124, **add** (10)  
3 as follows:

4 **22-2-124. Family literacy education grant program - rules -**  
5 **repeal.** (10) THIS SECTION IS REPEALED, EFFECTIVE JULY 1, 2014.  
6 NOTWITHSTANDING THE PROVISIONS OF PARAGRAPH (b) OF SUBSECTION  
7 (8) OF THIS SECTION, ANY MONEYS REMAINING IN THE FAMILY LITERACY  
8 EDUCATION FUND AS OF JULY 1, 2014, ARE TRANSFERRED ON THAT DATE  
9 TO THE ADULT EDUCATION AND LITERACY GRANT FUND CREATED IN  
10 SECTION 22-10-107.

11 **SECTION 3. Appropriation - adjustments to 2014 long bill.**

12 (1) For the implementation of this act, the general fund appropriation  
13 made in the annual general appropriation act to the controlled  
14 maintenance trust fund created in section 24-75-302.5 (2) (a), Colorado  
15 Revised Statutes, for the fiscal year beginning July 1, 2014, is decreased  
16 by \$960,000.

17 (2) In addition to any other appropriation, there is hereby  
18 appropriated, out of any moneys in the general fund not otherwise  
19 appropriated, to the adult education and literacy grant fund created in  
20 section 22-10-107, Colorado Revised Statutes, for the fiscal year  
21 beginning July 1, 2014, the sum of \$960,000, or so much thereof as may  
22 be necessary for the implementation of this act.

23 (3) In addition to any other appropriation, there is hereby  
24 appropriated, out of any moneys in the adult education and literacy grant  
25 fund created in section 22-10-107, Colorado Revised Statutes, not  
26 otherwise appropriated, to the department of education, for the fiscal year  
27 beginning July 1, 2014, the sum of \$960,000 and 1.0 FTE, or so much



1     thereof as may be necessary, for allocation to the office within the  
2     department of education that is responsible for adult education for the  
3     implementation of this act.

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