

**First Regular Session
Seventieth General Assembly
STATE OF COLORADO**

ENGROSSED

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

LLS NO. 15-0470.01 Julie Pelegrin x2700

HOUSE BILL 15-1326

HOUSE SPONSORSHIP

Moreno and Esgar,

SENATE SPONSORSHIP

(None),

House Committees
Education

Senate Committees

A BILL FOR AN ACT

101 **CONCERNING PROHIBITING CONSIDERATION OF THE ACCREDITATION**
102 **STATUS OF AN ENTITY THAT AWARDS A HIGH SCHOOL DIPLOMA**
103 **INDETERMINING A STUDENT'S POSTSECONDARY OPPORTUNITIES.**

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/bills summaries>.)

The bill prohibits the Colorado commission on higher education and institutions of higher education from considering the accreditation status of the school district or the state charter school institute from which a student graduates in making admissions decisions and in awarding financial assistance, grants, and scholarships, including the college

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.

HOUSE
Amended 2nd Reading
April 17, 2015

opportunity fund stipend.

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 (b) as follows:

4 **23-1-113. Commission directive - admission standards for**
5 **baccalaureate and graduate institutions of higher education - policy**

6 **- definitions.** (1) (b) The standards established for first-time admitted
7 freshman students shall use a combination of high school academic
8 performance indicators and national assessment test scores for eligibility
9 criteria. The academic performance indicators may include, but are not
10 limited to, grade point average, class rank, and content standard
11 performance level assessments. The criteria established and the specified
12 performance levels shall be consistent with the role and mission
13 established for each state-supported institution of higher education. In
14 considering the high school academic performance indicators, the
15 commission and the governing boards may take into account the rigor of
16 a student's high school academic preparation and the academic content of
17 the courses taken. THE ACADEMIC STANDARDS SHALL NOT INCLUDE
18 CONSIDERATION OF THE ACCREDITATION STATUS OF THE COLORADO
19 SCHOOL DISTRICT OR THE COLORADO INSTITUTE CHARTER SCHOOL FROM
20 WHICH A FIRST-TIME ADMITTED FRESHMAN STUDENT GRADUATES. In lieu
21 of the established statewide criteria, each governing board may use
22 additional criteria for up to twenty percent of the freshmen students
23 annually admitted to each institution under the governing board's control.
24 Students who meet the minimum criteria for admission are not guaranteed
25 admission to the institution to which they have applied, but they are

1 eligible for consideration.

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

4 **23-3.3-102. Assistance program authorized - procedure -**
5 **audits.** (3) (a) Each state institution shall administer a financial
6 assistance program according to policies and procedures established by
7 the governing board of the institution. Each private institution of higher
8 education, as defined in section 23-18-102 (9), that participates in the
9 program of financial assistance established pursuant to this section shall
10 administer a financial assistance program according to policies and
11 procedures established by the governing board of the institution. Each
12 participating nonpublic institution that is not a private institution of
13 higher education shall administer a financial assistance program
14 according to policies and procedures established by the commission. Each
15 institution shall fund its assistance program using state moneys allocated
16 to the institution and institutional moneys.

17 (b) THE POLICIES AND PROCEDURES FOR ADMINISTERING A
18 FINANCIAL ASSISTANCE PROGRAM SHALL NOT INCLUDE CONSIDERATION OF
19 THE ACCREDITATION STATUS OF THE COLORADO SCHOOL DISTRICT OR
20 COLORADO INSTITUTE CHARTER SCHOOL FROM WHICH A STUDENT
21 GRADUATES IN DETERMINING THE STUDENT'S ELIGIBILITY FOR FINANCIAL
22 ASSISTANCE OR THE AMOUNT OF FINANCIAL ASSISTANCE THE STUDENT
23 MAY RECEIVE.

24 **SECTION 3.** In Colorado Revised Statutes, 23-3.3-701, **amend**
25 (1) as follows:

26 **23-3.3-701. Colorado nursing scholarship program.** (1) (a) The
27 general assembly hereby authorizes the commission to establish a nursing

1 scholarship program. Such program shall be administered in accordance
2 with policies and procedures established by the commission. The general
3 assembly may appropriate annually an amount for the support of such
4 program.

5 (b) THE POLICIES AND PROCEDURES FOR ADMINISTERING THE
6 NURSING SCHOLARSHIP PROGRAM SHALL NOT INCLUDE CONSIDERATION OF
7 THE ACCREDITATION STATUS OF THE COLORADO SCHOOL DISTRICT OR
8 COLORADO INSTITUTE CHARTER SCHOOL FROM WHICH A STUDENT
9 GRADUATES IN DETERMINING THE STUDENT'S ELIGIBILITY FOR OR THE
10 AMOUNT OF A NURSING SCHOLARSHIP.

11 **SECTION 4.** In Colorado Revised Statutes, 23-3.3-901, **amend**
12 (3) (d) as follows:

13 **23-3.3-901. Teach Colorado grant initiative created - award**
14 **of grants - legislative declaration.** (3) (d) The commission shall adopt
15 such additional guidelines as may be necessary for administration of the
16 teach Colorado grant initiative, including but not limited to the
17 application process, criteria for awarding grants in addition to those
18 specified in subsection (4) of this section, and the amount of grants to be
19 awarded. THE GUIDELINES MUST ENSURE THAT AN INSTITUTION OF HIGHER
20 EDUCATION THAT PARTICIPATES IN THE TEACH COLORADO GRANT
21 INITIATIVE DOES NOT CONSIDER THE ACCREDITATION STATUS OF THE
22 COLORADO SCHOOL DISTRICT OR COLORADO INSTITUTE CHARTER SCHOOL
23 FROM WHICH A STUDENT GRADUATES IN DETERMINING THE STUDENT'S
24 ELIGIBILITY FOR OR THE AMOUNT OF A SCHOLARSHIP.

25 **SECTION 5.** In Colorado Revised Statutes, 23-3.3-1004, **add** (4)
26 (a) (II.5) as follows:

27 **23-3.3-1004. Colorado opportunity scholarship initiative**

1 **advisory board - created - duties - rules.** (4) The board shall hold its
2 first meeting on or before November 1, 2014, at a time and place to be
3 designated by the executive director or by his or her designee. The board
4 shall meet at least four times each year and shall carry out the following
5 duties:

6 (a) Promulgate rules for administration of the initiative, including
7 but not limited to the following:

8 (II.5) RULES THAT ENSURE THAT THE ACCREDITATION STATUS OF
9 THE COLORADO SCHOOL DISTRICT OR COLORADO INSTITUTE CHARTER
10 SCHOOL FROM WHICH A STUDENT GRADUATES IS NOT CONSIDERED IN
11 DETERMINING THE STUDENT'S ELIGIBILITY FOR OR THE AMOUNT OF A
12 GRANT FROM THE INITIATIVE;

13 **SECTION 6.** In Colorado Revised Statutes, 23-3.5-103, **amend**
14 (2) as follows:

15 **23-3.5-103. Grant program authorized - administration.**

16 (2) The commission shall determine, by guideline, the institutions of
17 higher education eligible for participation in the grant program, and each
18 eligible institution of higher education shall recommend in-state students
19 to the commission for receipt of a grant. THE COMMISSION AND AN
20 ELIGIBLE INSTITUTION OF HIGHER EDUCATION SHALL NOT CONSIDER THE
21 ACCREDITATION STATUS OF THE COLORADO SCHOOL DISTRICT OR
22 COLORADO INSTITUTE CHARTER SCHOOL FROM WHICH A STUDENT
23 GRADUATES IN RECOMMENDING OR AWARING GRANTS TO IN-STATE
24 STUDENTS.

25 **SECTION 7.** In Colorado Revised Statutes, 23-3.7-103, **amend**
26 (2) as follows:

27 **23-3.7-103. Tuition assistance grant program - authorization**

1 - **administration.** (2) An in-state student may apply to an eligible
2 nonpublic institution of higher education for a grant at any time after his
3 or her acceptance by such nonpublic institution of higher education. The
4 commission shall award grants, out of moneys in the fund created in
5 section 23-3.7-107, for such students to such institutions in accordance
6 with criteria established by the commission. In establishing this criteria
7 the commission shall include, but not be limited to, the consideration of
8 need and merit. The criteria shall also include:

9 (a) A prohibition against the awarding of any financial assistance
10 pursuant to this article to a student who is pursuing a professional degree
11 in theology; except that the prohibition described in this section shall not
12 apply to financial assistance that is awarded to a student from a federal
13 program, including but not limited to Title IV of the federal "Higher
14 Education Act of 1965", 20 U.S.C. sec. 1070, as amended; and

15 (b) A requirement that a nonpublic institution of higher education
16 that seeks to award financial assistance to a student pursuant to this article
17 certify that the student is not pursuing a professional degree in theology;
18 AND

19 (c) A PROHIBITION AGAINST CONSIDERING THE ACCREDITATION
20 STATUS OF THE COLORADO SCHOOL DISTRICT OR COLORADO INSTITUTE
21 CHARTER SCHOOL FROM WHICH A STUDENT GRADUATES IN AWARDED
22 GRANTS.

23 **SECTION 8.** In Colorado Revised Statutes, 23-18-201, **amend**
24 (1) as follows:

25 **23-18-201. College opportunity fund program - creation -**
26 **eligibility - guidelines.** (1) (a) There is hereby created in the department
27 of higher education the college opportunity fund program, which shall be

1 administered by the Colorado student loan program. The college
2 opportunity fund, created in section 23-18-202, shall be a trust fund for
3 the benefit of eligible undergraduate students. It shall consist of a stipend
4 for each undergraduate student in Colorado who applies for the stipend
5 and who is admitted and registers to attend a state or participating private
6 institution of higher education and is determined to be eligible by the
7 Colorado student loan program to receive a stipend. An eligible
8 undergraduate student may use the stipend for undergraduate courses and
9 graduate-level courses that apply toward the student's undergraduate
10 degree that are taken at a state or participating private institution of higher
11 education at a fixed rate per credit hour, set annually by the general
12 assembly.

13 (b) IN DETERMINING AN UNDERGRADUATE STUDENT'S ELIGIBILITY
14 TO RECEIVE A STIPEND, THE COLORADO STUDENT LOAN PROGRAM SHALL
15 NOT CONSIDER THE ACCREDITATION STATUS OF THE COLORADO SCHOOL
16 DISTRICT OR COLORADO INSTITUTE CHARTER SCHOOL FROM WHICH A
17 STUDENT GRADUATES.

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