

Second Regular Session  
Sixty-fifth General Assembly  
STATE OF COLORADO

**PREAMENDED**

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

LLS NO. 06-0371.01 Michele Hanigsberg

**HOUSE BILL 06-1024**

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**HOUSE SPONSORSHIP**

**Frangas,**

**SENATE SPONSORSHIP**

**Tapia,**

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**House Committees**

Education  
Appropriations

**Senate Committees**

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**A BILL FOR AN ACT**

101 **CONCERNING UNDERSERVED STUDENTS AT INSTITUTIONS OF HIGHER**  
102 **EDUCATION, AND MAKING AN APPROPRIATION THEREFOR.**

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**Bill Summary**

*(Note: This summary applies to this bill as introduced and does not necessarily reflect any amendments that may be subsequently adopted.)*

Requires each institution of higher education performance contract to include an addendum requiring the institution to demonstrate its commitment to the retention and success of underserved students through the institution's use of support services. Specifies that the support services shall include but need not be limited to:

Individual cognitive and social diagnostic assessment tools for underserved students or students in need of basic skills

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.*

instruction;

Institutional mechanisms designed to identify students at risk of not achieving satisfactory academic progress; and Faculty mentoring programs for underserved students.

Authorizes the governing board of a state institution of higher education and the department of higher education to negotiate each year a fee-for-service contract that includes proven, research-based support services for underserved students.

Requires the Colorado commission on higher education ("commission") to adopt a policy that requires institutions of higher education to make work-study participants a priority for financial aid awards. Requires the commission to develop an on-line textbook pilot program that will allow a state institution of higher education to create and utilize on-line textbook libraries so that students may purchase only those materials needed for the applicable course work.

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

2 **SECTION 1.** 23-5-129 (2) (e), Colorado Revised Statutes, is  
3 amended, and the said 23-5-129 (2) is further amended BY THE  
4 ADDITION OF A NEW PARAGRAPH, to read:

5 **23-5-129. Governing boards - performance contract -**  
6 **authorization - operations.** (2) (e) (I) Notwithstanding any other  
7 provision of this section to the contrary, increasing enrollment of  
8 underserved students, including low-income individuals, minority groups,  
9 and males where underserved, shall be addressed in each performance  
10 contract.

11 (II) ON OR BEFORE JULY 1, 2007, EACH PERFORMANCE CONTRACT  
12 SHALL INCLUDE AN ADDENDUM THAT REQUIRES THE INSTITUTION OF  
13 HIGHER EDUCATION TO DEMONSTRATE ITS COMMITMENT TO THE  
14 RETENTION AND SUCCESS OF UNDERSERVED STUDENTS THROUGH THE  
15 INSTITUTION'S USE OF SUPPORT SERVICES, WHICH SERVICES MAY INCLUDE  
16 BUT NEED NOT BE LIMITED TO:

17 (A) INDIVIDUAL COGNITIVE DIAGNOSTIC ASSESSMENT TOOLS

1 FOR UNDERSERVED STUDENTS OR STUDENTS IN NEED OF BASIC SKILLS  
2 INSTRUCTION ACCORDING TO THE COMMISSION'S REMEDIAL EDUCATION  
3 POLICY ADOPTED PURSUANT TO SECTION 23-1-113.3;

4 (B) INSTITUTIONAL MECHANISMS DESIGNED TO IDENTIFY  
5 STUDENTS AT RISK OF NOT ACHIEVING SATISFACTORY ACADEMIC  
6 PROGRESS; AND

7 (C) FACULTY AND OTHER MENTORING PROGRAMS FOR  
8 UNDERSERVED STUDENTS.

9 (g) (I) IT IS THE INTENT OF THE GENERAL ASSEMBLY THAT THE  
10 TOTAL AMOUNT RECEIVED BY THE STATE INSTITUTIONS OF HIGHER  
11 EDUCATION IN THE 2007-08 FISCAL YEAR UNDER THE FEE-FOR-SERVICE  
12 CONTRACTS AUTHORIZED IN SECTION 23-5-130 BE INCREASED BY AN  
13 AMOUNT SPECIFICALLY DESIGNATED FOR THE IMPLEMENTATION OF THE  
14 REQUIREMENTS SPECIFIED IN PARAGRAPH (e) OF THIS SUBSECTION (2).

15 (II) DURING A SUBSEQUENT STATE FISCAL YEAR, IF A STATE  
16 INSTITUTION OF HIGHER EDUCATION DOES NOT RECEIVE MONEYS UNDER  
17 THE INSTITUTION'S FEE-FOR-SERVICE CONTRACT THAT ARE SPECIFICALLY  
18 DESIGNATED FOR THE IMPLEMENTATION OF THE REQUIREMENTS SPECIFIED  
19 IN PARAGRAPH (e) OF THIS SUBSECTION (2), THEN THE REQUIREMENTS IN  
20 PARAGRAPH (e) OF THIS SUBSECTION (2) SHALL NOT APPLY TO THE STATE  
21 INSTITUTION OF HIGHER EDUCATION FOR THAT STATE FISCAL YEAR.

22 **SECTION 2.** 23-5-130 (2), Colorado Revised Statutes, is  
23 amended BY THE ADDITION OF A NEW PARAGRAPH to read:

24 **23-5-130. Governing boards - fee-for-service contracts -**  
25 **authorization - repeal.** (2) Beginning July 1, 2005, the governing board  
26 of a state institution of higher education may annually negotiate a  
27 fee-for-service contract with the department for the delivery of higher

1 education services by the institution to the residents of the state of  
2 Colorado. These services may include, but need not be limited to:

3 (i) PROVEN, RESEARCH-BASED SUPPORT SERVICES FOR  
4 UNDERSERVED STUDENTS, WHICH SERVICES MAY INCLUDE BUT NEED NOT  
5 BE LIMITED TO:

6 (I) INDIVIDUAL COGNITIVE [REDACTED] DIAGNOSTIC ASSESSMENT TOOLS  
7 FOR UNDERSERVED STUDENTS OR STUDENTS IN NEED OF BASIC SKILLS  
8 INSTRUCTION ACCORDING TO THE COMMISSION'S REMEDIAL EDUCATION  
9 POLICY ADOPTED PURSUANT TO SECTION 23-1-113.3;

10 (II) INSTITUTIONAL MECHANISMS DESIGNED TO IDENTIFY  
11 STUDENTS AT RISK OF NOT ACHIEVING SATISFACTORY ACADEMIC  
12 PROGRESS; AND

13 (III) FACULTY AND OTHER MENTORING PROGRAMS FOR  
14 UNDERSERVED STUDENTS.

15 **SECTION 3.** 23-1-109.7 (1), Colorado Revised Statutes, is  
16 amended BY THE ADDITION OF A NEW PARAGRAPH to read:

17 **23-1-109.7. Duties and powers of the commission with regard**  
18 **to the provision of educational services - repeal.** (1) Beginning July  
19 1, 2005, the commission shall be responsible for ensuring the provision  
20 of specific postsecondary educational services in the state. These  
21 educational services shall include but need not be limited to:

22 (i) PROVEN, RESEARCH-BASED SUPPORT SERVICES FOR  
23 UNDERSERVED STUDENTS, WHICH SERVICES MAY INCLUDE BUT NEED NOT  
24 BE LIMITED TO:

25 (I) INDIVIDUAL COGNITIVE [REDACTED] DIAGNOSTIC ASSESSMENT TOOLS  
26 FOR UNDERSERVED STUDENTS OR STUDENTS IN NEED OF BASIC SKILLS  
27 INSTRUCTION ACCORDING TO THE COMMISSION'S REMEDIAL EDUCATION

1 POLICY ADOPTED PURSUANT TO SECTION 23-1-113.3;

2 (II) INSTITUTIONAL MECHANISMS DESIGNED TO IDENTIFY  
3 STUDENTS AT RISK OF NOT ACHIEVING SATISFACTORY ACADEMIC  
4 PROGRESS; AND

5 (III) FACULTY AND OTHER MENTORING PROGRAMS FOR  
6 UNDERSERVED STUDENTS.

7 **SECTION 4.** Part 4 of article 3.3 of title 23, Colorado Revised  
8 Statutes, is amended BY THE ADDITION OF A NEW SECTION to  
9 read:

10 **23-3.3-402. Financial aid priority - work-study participants.**

11 THE COMMISSION SHALL ADOPT A POLICY TO REQUIRE INSTITUTIONS OF  
12 HIGHER EDUCATION TO MAKE WORK STUDY A PRIORITY IN FINANCIAL AID  
13 AWARDS, CONTINGENT UPON THE AVAILABILITY OF FEDERAL AND STATE  
14 ALLOCATIONS FOR SUCH FUNDING.

15 **SECTION 5.** Article 1 of title 23, Colorado Revised Statutes, is  
16 amended BY THE ADDITION OF A NEW SECTION to read:

17 **23-1-130. Commission directive - on-line textbook pilot**

18 **program - repeal.** (1) THE COMMISSION SHALL DEVELOP AN ON-LINE  
19 TEXTBOOK PILOT PROGRAM, REFERRED TO IN THIS SECTION AS THE "PILOT  
20 PROGRAM", IN WHICH ONE OR MORE STATE INSTITUTIONS OF HIGHER  
21 EDUCATION MAY PARTICIPATE. A STATE INSTITUTION OF HIGHER  
22 EDUCATION PARTICIPATING IN THE PILOT PROGRAM IS AUTHORIZED TO  
23 CREATE AND UTILIZE ON-LINE TEXTBOOK LIBRARIES TO ALLOW STUDENTS  
24 TO PURCHASE ONLY THOSE MATERIALS NEEDED FOR THE APPLICABLE  
25 COURSE WORK. A STATE INSTITUTION OF HIGHER EDUCATION  
26 PARTICIPATING IN THE PILOT PROGRAM SHALL DETERMINE ANNUALLY AND  
27 REPORT TO THE COMMISSION WHETHER THE PILOT PROGRAM REDUCED

1 BOOK COSTS FOR STUDENTS.

2 (2) THIS SECTION IS REPEALED, EFFECTIVE JULY 1, 2010.

3 **SECTION 6. Appropriation.** In addition to any other  
4 appropriation, there is hereby appropriated, out of any moneys in the  
5 general fund not otherwise appropriated, to the department of higher  
6 education, for allocation to the Colorado commission on higher  
7 education, administration, for an on-line textbook pilot program, for the  
8 fiscal year beginning July 1, 2006, the sum of twenty-eight thousand  
9 seven hundred seventeen dollars (\$28,717) and 0.5 FTE, or so much  
10 thereof as may be necessary, for the implementation of this act.

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