

Second 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. 16-0541.01 Brita Darling x2241

HOUSE BILL 16-1082

HOUSE SPONSORSHIP

Garnett and Willett,

SENATE SPONSORSHIP

Todd,

House Committees
Education

Senate Committees

A BILL FOR AN ACT

101 **CONCERNING AREA VOCATIONAL SCHOOLS, AND, IN CONNECTION**
102 **THEREWITH, CHANGING THE NAME OF AREA VOCATIONAL**
103 **SCHOOLS TO AREA TECHNICAL COLLEGES AND ADDING**
104 **REPRESENTATION FOR AREA TECHNICAL COLLEGES TO CERTAIN**
105 **BOARDS.**

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>.)

Under current law, the governing board of an area vocational school may, by resolution, change the name of the area vocational school

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
2nd Reading Unamended
February 10, 2016

to an area technical college. Pursuant to this authority, all area vocational schools in the state have been named area technical colleges.

The bill changes references to area vocational schools in the Colorado Revised Statutes to area technical colleges to remove the obsolete terminology.

The bill also adds a representative of an area technical college to the concurrent enrollment advisory board and the state work force development council.

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

2 **SECTION 1.** In Colorado Revised Statutes, 12-47-308, **amend**
3 (1) (b) and (3) (b) as follows:

4 **12-47-308. Unlawful financial assistance.**
5 (1)(b) Notwithstanding the provisions of paragraph (a) of this subsection
6 (1), any person or party described in said paragraph (a) may provide
7 financial or in-kind assistance, directly or indirectly, to a nonprofit arts
8 organization that has been issued an arts license pursuant to section
9 12-47-417 or to a state-supported institution of higher education in
10 Colorado, including junior colleges, ~~area vocational schools~~ TECHNICAL
11 COLLEGES, and the Auraria higher education center, or the governing
12 board of a state-supported institution of higher education, or to a
13 nonpublic institution of higher education as defined in section 23-3.7-102,
14 C.R.S., that is operating pursuant to 26 U.S.C. sec. 501 (c) (3) of the
15 federal "Internal Revenue Code of 1986", as amended, if the institution
16 has been issued a license pursuant to article 46, 47, or 48 of this title.

17 (3) (b) Notwithstanding the provisions of paragraph (a) of this
18 subsection (3), a nonprofit arts organization that has been issued an arts
19 license pursuant to section 12-47-417 or a state-supported institution of
20 higher education in Colorado, including junior colleges, ~~area vocational~~
21 ~~schools~~ TECHNICAL COLLEGES, and the Auraria higher education center,

1 or the governing board of a state-supported institution of higher
2 education, or a nonpublic institution of higher education as defined in
3 section 23-3.7-102, C.R.S., that is operating pursuant to 26 U.S.C. sec.
4 501 (c) (3) of the federal "Internal Revenue Code of 1986", as amended,
5 if the institution has been issued a license pursuant to article 46, 47, or 48
6 of this title, may receive financial or in-kind assistance, directly or
7 indirectly, from the persons or parties described and referred to in
8 paragraph (a) of subsection (1) of this section.

9 **SECTION 2.** In Colorado Revised Statutes, 12-59-103, **amend**
10 (13) as follows:

11 **12-59-103. Definitions.** As used in this article, unless the context
12 otherwise requires:

13 (13) "Train-out" means the opportunity for a student of a private
14 occupational school ceasing operation to meet such student's educational
15 objectives through training provided by another approved private
16 occupational school, a community college, an area ~~vocational school~~
17 TECHNICAL COLLEGE, or any other training arrangement acceptable to the
18 division.

19 **SECTION 3.** In Colorado Revised Statutes, 12-59-115, **amend**
20 (7) (a) as follows:

21 **12-59-115. Bonds.** (7) (a) In the event that a private occupational
22 school ceases operation, the board ~~shall be~~ IS authorized to make demand
23 on the surety of such school upon the demand for a refund by a student or
24 the implementation of a train-out for the students of such school, and the
25 surety shall pay the claim due in a timely manner. To the extent
26 practicable, the board shall use the amount of the bond to provide
27 train-out for students of the private occupational school ceasing operation

1 through a contract with another approved private occupational school, a
2 community college, an area ~~vocational school~~ TECHNICAL COLLEGE, or
3 any other training arrangement acceptable to the board. The train-out
4 provided to a student ~~shall replace~~ REPLACES the original enrollment
5 agreement or contract between the student and the private occupational
6 school ceasing operation; except that tuition and fee payments shall be
7 made by the student as required by the original enrollment agreement or
8 contract.

9 **SECTION 4.** In Colorado Revised Statutes, 22-10-103, **amend**
10 (7) (a) and (11) (b) (I) as follows:

11 **22-10-103. Definitions.** As used in this article, unless the context
12 otherwise requires:

13 (7) "Local education provider" means one of the following entities
14 that the department recognizes as providing appropriate and effective
15 adult education and literacy programs:

16 (a) A secondary or postsecondary, public or private, nonprofit
17 educational entity, including but not limited to a school district, charter
18 school, board of cooperative services, state institution of higher
19 education, junior college, and area ~~vocational school~~ TECHNICAL
20 COLLEGE;

21 (11) (b) For purposes of this subsection (11), a postsecondary
22 education or training provider includes, but need not be limited to:

23 (I) A state institution of higher education, junior college, or area
24 ~~vocational school~~ TECHNICAL COLLEGE;

25 **SECTION 5.** In Colorado Revised Statutes, 22-35-103, **amend**
26 (12) (a) as follows:

27 **22-35-103. Definitions.** As used in this article, unless the context

1 otherwise requires:

2 (12) "Institution of higher education" means:

3 (a) A state university or college, community college, junior
4 college, local district college, or area ~~vocational school~~ TECHNICAL
5 COLLEGE described in title 23, C.R.S.;

6 **SECTION 6.** In Colorado Revised Statutes, 22-35-105, **amend**
7 (3) (a) (I) as follows:

8 **22-35-105. Financial provisions - payment of tuition.** (3) (a) A
9 cooperative agreement shall establish the tuition rate at which the local
10 education provider shall pay the institution of higher education for any
11 courses in which a qualified student of the local education provider
12 concurrently enrolls at the institution. The tuition rate shall not exceed:

13 (I) For a course offered by a public community college, a public
14 junior college, or an area ~~vocational school~~ TECHNICAL COLLEGE, the
15 student share of the tuition rate established for Colorado residents
16 enrolled in the course, which tuition rate is established by the state board
17 for community colleges and occupational education pursuant to section
18 23-60-202 (1) (c) (I), C.R.S.; except that, if the local education provider
19 is located outside the boundaries of every community college service
20 area, as assigned by the commission pursuant to section 23-60-207,
21 C.R.S., the tuition rate shall not exceed the actual student share of the
22 resident tuition rate of the nearest Colorado public institution of higher
23 education.

24 **SECTION 7.** In Colorado Revised Statutes, 22-35-107, **amend**
25 (2) introductory portion, (2) (b), and (6) (f) as follows:

26 **22-35-107. Concurrent enrollment advisory board - created -**
27 **membership - duties - reports - repeal.** (2) The board shall consist of

1 the following ~~thirteen~~ FOURTEEN members:

2 (b) ~~Four~~ FIVE representatives from the state systems of higher
3 education appointed by the executive director of the department of higher
4 education, including ~~at least~~ two members who represent the Colorado
5 community college system, one member who represents a public,
6 four-year institution of higher education, ~~and~~ one member who represents
7 a local district college, AND ONE MEMBER WHO REPRESENTS AN AREA
8 TECHNICAL COLLEGE;

9 (6) The board shall have the following duties:

10 (f) Collaborating with persons from the department of education,
11 the department of labor and employment, the community college system,
12 the local district junior colleges, area ~~vocational schools~~ TECHNICAL
13 COLLEGES, and the Colorado work force development council created in
14 section 24-46.3-101, C.R.S., to create a set of standard recommendations
15 to advise and assist local education providers in creating cooperative
16 agreements to include course work related to apprenticeship programs
17 and internship programs as options within a local education provider's
18 concurrent enrollment program. The board shall complete the standard
19 recommendations and make them available to local education providers
20 by January 1, 2016.

21 **SECTION 8.** In Colorado Revised Statutes, 23-1-102, **amend** (2)
22 as follows:

23 **23-1-102. Commission established - terms of office.** (2) There
24 is hereby established a central policy and coordinating board for higher
25 education in the state of Colorado, to be known as the Colorado
26 commission on higher education, referred to in this article as the
27 "commission". The duties and powers delegated to the commission by this

1 article shall apply to all state-supported institutions of higher education,
2 including, but not limited to, all postsecondary institutions in the state
3 supported in whole or part by state funds, and including junior colleges
4 and community colleges, extension programs of the state-supported
5 universities and colleges, local district colleges, area ~~vocational schools~~
6 TECHNICAL COLLEGES, the Auraria higher education center established in
7 article 70 of this title, and specifically the regents of the university of
8 Colorado and the institutions it governs. The governing boards and
9 institutions of the public system of higher education in Colorado,
10 including the university of Colorado, are obligated to conform to the
11 policies set by the commission within the authorities delegated to it in this
12 article.

13 **SECTION 9.** In Colorado Revised Statutes, 23-1-106, **amend** (5)
14 (a) as follows:

15 **23-1-106. Duties and powers of the commission with respect**
16 **to capital construction and long-range planning - legislative**
17 **declaration - definitions.** (5) (a) The commission shall approve plans for
18 any capital construction or capital renewal project at any state institution
19 of higher education regardless of the source of funds; except that the
20 commission need not approve plans for any capital construction or capital
21 renewal project at a local district college or area ~~vocational school~~
22 TECHNICAL COLLEGE or for any capital construction or capital renewal
23 project described in subsection (9) or (10) of this section.

24 **SECTION 10.** In Colorado Revised Statutes, 23-1-108, **amend**
25 (1.5) (b) (VI), (1.9) (a) (I), (1.9) (a) (III), and (1.9) (b) as follows:

26 **23-1-108. Duties and powers of the commission with regard to**
27 **systemwide planning.** (1.5) (b) At a minimum, the commission shall

1 address the following issues in developing the master plan:

2 (VI) The role of two-year and four-year junior colleges and area
3 ~~vocational schools~~ TECHNICAL COLLEGES in helping to address the
4 workforce and economic development needs of the state within the
5 system of higher education; and

6 (1.9) (a) (I) On or before December 1, 2013, the commission shall
7 create a performance-based funding plan to appropriate to each governing
8 board, including the governing boards for the junior colleges and area
9 ~~vocational schools~~ TECHNICAL COLLEGES, a portion of the performance
10 funding amount for the applicable state fiscal year based on the success
11 demonstrated by the institutions under each governing board's control in
12 meeting the goals and expectations specified in the institutions' respective
13 performance contracts.

14 (III) The commission shall ensure that the performance-based
15 funding plan distributes the performance funding amount on the basis of
16 an institution's performance in meeting the negotiated goals and
17 expectations specified in its performance contract. The distribution of the
18 performance funding amount shall not take into account additional
19 revenues that may be available to the institution, including but not limited
20 to local property tax revenues received by the junior colleges and area
21 ~~vocational schools~~ TECHNICAL COLLEGES.

22 (b) After the 2016-17 state fiscal year, in each state fiscal year in
23 which the general assembly appropriates the restored level of general
24 fund appropriations for the state system of higher education, the
25 commission, based on the performance-based funding plan adopted in the
26 master plan, shall recommend to the joint budget committee the portion
27 of the performance funding amount to be appropriated to each governing

1 board, including the governing boards for the junior colleges and the area
2 ~~vocational schools~~ TECHNICAL COLLEGES, based on the demonstrated
3 performance of the institutions that are under the governing board's
4 control in meeting the institutions' goals and expectations specified in the
5 institutions' respective performance contracts.

6 **SECTION 11.** In Colorado Revised Statutes, 23-1-130, **amend**
7 (2) (a) as follows:

8 **23-1-130. Department duty to report on workforce needs and**
9 **credential production - repeal.** (2) To the extent practicable within
10 available resources and subject to the availability of data currently
11 collected by and accessible to state agencies, the department, in
12 consultation with the department of labor, the department of regulatory
13 agencies, and any other entity the department deems appropriate, shall
14 produce an annual report regarding state workforce need projections and
15 credential production. The report shall:

16 (a) Indicate the state's anticipated workforce needs and the
17 number of degrees, certificates, and other credentials that public and
18 private institutions of higher education, private occupational schools,
19 local district colleges, and area ~~vocational schools~~ TECHNICAL COLLEGES
20 expect to issue;

21 **SECTION 12.** In Colorado Revised Statutes, 23-1-132, **amend**
22 (3) as follows:

23 **23-1-132. Commission directive - tuition waivers for**
24 **exonerated persons.** (3) The policy described in subsection (1) of this
25 section ~~shall~~ **MUST** be implemented by all state-supported institutions of
26 higher education, including but not limited to all postsecondary
27 institutions in the state supported in whole or in part by state funds,

1 including junior colleges and community colleges, extension programs of
2 the state-supported universities and colleges, local district colleges, and
3 area ~~vocational schools~~ TECHNICAL COLLEGES.

4 **SECTION 13.** In Colorado Revised Statutes, 23-2-102, **amend**
5 (1) as follows:

6 **23-2-102. Definitions.** As used in this article, unless the context
7 otherwise requires:

8 (1) "Alternate enrollment" means the opportunity for a student
9 enrolled in a private college or university that ceases operation to meet
10 the student's educational objectives through education provided by
11 another authorized private college or university, a community college, an
12 area ~~vocational school~~ TECHNICAL COLLEGE, or any other educational
13 arrangement acceptable to the department and the commission.

14 **SECTION 14.** In Colorado Revised Statutes, 23-2-103.8, **amend**
15 (7) (a) as follows:

16 **23-2-103.8. Financial integrity - surety.** (7) (a) If a private
17 college or university ceases operation, the commission may make demand
18 on the surety of the institution upon the demand for a refund by a student
19 or the implementation of alternate enrollment for the students enrolled in
20 the institution, and the holder of the surety or, if the surety is a bond, the
21 principal on the bond shall pay the claim due in a timely manner. To the
22 extent practicable, the commission shall use the amount of the surety to
23 provide alternate enrollment for students of the institution that ceases
24 operation through a contract with another authorized private college or
25 university, a community college, an area ~~vocational school~~ TECHNICAL
26 COLLEGE, or any other arrangement that is acceptable to the department.
27 The alternate enrollment provided to a student ~~shall replace~~ REPLACES the

1 original enrollment agreement, if any, between the student and the private
2 college or university; except that the student shall make the tuition and
3 fee payments as required by the original enrollment agreement, if any.

4 **SECTION 15.** In Colorado Revised Statutes, 23-3.1-206.9,
5 **amend** (1) (a) (III) as follows:

6 **23-3.1-206.9. Colorado collegeinvest scholarship program -**
7 **administration - fund - policies.** (1) There is hereby created the
8 Colorado collegeinvest scholarship program for the purpose of increasing
9 access to postsecondary education. The Colorado collegeinvest
10 scholarship program shall be implemented and administered by the
11 authority. A scholarship under the Colorado collegeinvest scholarship
12 program may be awarded only to an undergraduate student who, each
13 year:

14 (a) (III) Attends an area ~~vocational school~~ TECHNICAL COLLEGE,
15 as defined in section 23-60-103 (1), and is earning postsecondary credits
16 that may be transferred into an associate degree program at a community
17 college or into a degree program at a four-year institution of higher
18 education as provided in section 23-1-108 (7) and the state credit transfer
19 policies established by the Colorado commission on higher education; and

20 **SECTION 16.** In Colorado Revised Statutes, 23-3.3-1101,
21 **amend** (1) as follows:

22 **23-3.3-1101. Career and technical education certificate**
23 **programs - tuition assistance - funding.** (1) The commission shall
24 establish a tuition assistance program for students enrolled in career and
25 technical education certificate programs, referred to in this section as
26 "certificate programs". Subject to available appropriations, the
27 commission shall allocate moneys to community colleges, Colorado Mesa

1 university, area ~~vocational schools~~ TECHNICAL COLLEGES, and local
2 district junior colleges to provide tuition assistance for students who meet
3 the income eligibility requirements for the federal Pell grant but do not
4 qualify for the Pell grant because the certificate program in which they
5 are enrolled does not meet the Pell grant minimum credit hour
6 requirements. The department of higher education and the institutions that
7 receive tuition assistance moneys pursuant to this section shall administer
8 the program in accordance with policies and procedures that the
9 commission establishes.

10 **SECTION 17.** In Colorado Revised Statutes, 23-5-111.4, **amend**
11 (3) (a) as follows:

12 **23-5-111.4. Tuition for members of the National Guard.**

13 (3) (a) For the purposes of this section, "designated institution of higher
14 education" means the Colorado state university - Pueblo, Adams state
15 university, Colorado Mesa university, Metropolitan state university of
16 Denver, Fort Lewis college, Western state Colorado university, all
17 independent area ~~vocational schools~~ TECHNICAL COLLEGES, all local
18 district colleges, the university of northern Colorado, the university of
19 Colorado at Boulder, the university of Colorado at Denver, the university
20 of Colorado at Colorado Springs, Colorado state university, the Colorado
21 school of mines, the university of Colorado health sciences center, all
22 community colleges governed by the state board for community colleges
23 and occupational education, and any private institution of higher
24 education in Colorado that qualifies for the college opportunity fund
25 pursuant to article 18 of this title and that offers an accredited certificate
26 or degree program in homeland security. For a member of the Colorado
27 National Guard enrolled in a private institution of higher education,

1 tuition assistance ~~shall be~~ IS limited to the completion of the accredited
2 certificate or degree program in homeland security and ~~shall be~~ IS
3 provided at the discretion of the adjutant general of the department of
4 military and veterans affairs. The tuition benefit to members of the
5 Colorado National Guard under this subsection (3) for an accredited
6 certificate or degree program in homeland security shall not exceed the
7 moneys appropriated annually to the Colorado National Guard pursuant
8 to section 23-3.3-202.

9 **SECTION 18.** In Colorado Revised Statutes, 23-5-129, **amend**
10 (1) (b) and (11) as follows:

11 **23-5-129. Governing boards - performance contract -**
12 **authorization - operations.** (1) As used in this section, unless the
13 context otherwise requires:

14 (b) "State institution of higher education" ~~shall have~~ HAS the same
15 meaning as provided in section 23-18-102 (10); except that "state
16 institution of higher education" ~~shall include~~ INCLUDES each junior
17 college that is part of a junior college district organized pursuant to article
18 71 of this title and the area ~~vocational schools~~ TECHNICAL COLLEGES, as
19 defined in section 23-60-103.

20 (11) Notwithstanding any provision of this section to the contrary,
21 the provisions of subsections (6), (7), and (10) of this section do not apply
22 to the local district junior colleges or the area ~~vocational schools~~
23 TECHNICAL COLLEGES.

24 **SECTION 19.** In Colorado Revised Statutes, 23-5-140, **amend**
25 (2) (a) as follows:

26 **23-5-140. Lifesaving school safety information.** (2) As used in
27 this section, unless the context otherwise requires:

1 (a) "Institution of higher education" or "institution" means a state
2 institution of higher education as defined in section 23-18-102 (10) (a),
3 a junior college, an area ~~vocational school~~ TECHNICAL COLLEGE, or a
4 technical college.

5 **SECTION 20.** In Colorado Revised Statutes, 23-5-141, **amend**
6 (2) (c) as follows:

7 **23-5-141. Campus police information sharing - legislative**
8 **declaration - definitions.** (2) For purposes of this section:

9 (c) "State institution of higher education" means a state institution
10 of higher education as defined in section 23-18-102 (10) (a), a junior
11 college, an area ~~vocational school~~ TECHNICAL COLLEGE, the Auraria
12 higher education center, an education center, or a technical college.

13 **SECTION 21.** In Colorado Revised Statutes, 23-18-302, **amend**
14 (1.5) as follows:

15 **23-18-302. Definitions.** As used in this part 3, unless the context
16 otherwise requires:

17 (1.5) "Area ~~vocational school~~ TECHNICAL COLLEGE" has the same
18 meaning as provided in section 23-60-103 (1).

19 **SECTION 22.** In Colorado Revised Statutes, 23-18-303, **amend**
20 (1) as follows:

21 **23-18-303. Fee-for-service contracts - authorization -**
22 **definitions.** (1) For the 2015-16 state fiscal year and each fiscal year
23 thereafter, the governing board of a state institution of higher education
24 may annually negotiate a fee-for-service contract with the department for
25 the delivery of higher education services by the institution for the benefit
26 of the state and its residents. Specialty education programs, area
27 ~~vocational schools~~ TECHNICAL COLLEGES, and local district junior

1 colleges are funded pursuant to the provisions of section 23-18-304.

2 **SECTION 23.** In Colorado Revised Statutes, 23-18-304, **amend**
3 (2) (a), (2) (b), and (4) as follows:

4 **23-18-304. Funding for specialty education programs - area**
5 **technical colleges - local district junior colleges.** (2) (a) Except as
6 provided in paragraph (b) of this subsection (2), for the 2015-16 state
7 fiscal year and each fiscal year thereafter, the direct grants made to
8 eligible area ~~vocational schools~~ TECHNICAL COLLEGES pursuant to part 3
9 of article 71 of this title for a state fiscal year must be equal to the amount
10 of the grants made in the preceding state fiscal year, increased or
11 decreased by a percentage equal to the percentage change in the total state
12 appropriation for the applicable state fiscal year from the total state
13 appropriation for the preceding state fiscal year.

14 (b) After considering the status of the performance contracts with
15 the area ~~vocational schools~~ TECHNICAL COLLEGES pursuant to section
16 23-5-129, the commission may recommend as part of its budget request
17 that direct grants to area ~~vocational schools~~ TECHNICAL COLLEGES
18 increase by a percentage that is greater than the percentage change in the
19 total state appropriation for the preceding state fiscal year or decrease by
20 a percentage that is less than the percentage change in the total state
21 appropriation for the applicable fiscal year from the total state
22 appropriation for the preceding state fiscal year.

23 (4) The governing boards of institutions with specialty education
24 programs, the area ~~vocational schools~~ TECHNICAL COLLEGES, the local
25 district junior colleges, and the commission are encouraged to develop
26 funding models that include specific performance metrics to ensure that
27 these programs and institutions are meeting the policy goals established

1 by the general assembly and adopted by the commission in its master
2 plan.

3 **SECTION 24.** In Colorado Revised Statutes, 23-19.9-102,
4 **amend** (1) (b) as follows:

5 **23-19.9-102. Higher education federal mineral lease revenues**
6 **fund - higher education maintenance and reserve fund - creation -**
7 **sources of revenues - use.** (1) (b) The general assembly may annually
8 appropriate moneys in the revenues fund to directly pay for or pay the
9 costs of financing capital construction projects at state-supported
10 institutions of higher education that are included on a prioritized list of
11 such projects specified in a joint resolution that has taken effect in
12 accordance with section 39 of article V of the state constitution after
13 being sponsored by the joint budget committee of the general assembly,
14 approved by the general assembly, and presented to the governor pursuant
15 to section 23-1-106.3 (1) (b), enacted by Senate Bill 08-233, enacted at
16 the second regular session of the sixty-sixth general assembly. The
17 general assembly may also appropriate moneys in the revenues fund to the
18 department of education for distribution by the department, or any board
19 or division within the department that the department may designate, to
20 school districts for capital construction projects at area ~~vocational schools~~
21 TECHNICAL COLLEGES, as defined in section 23-60-103 (1). In making
22 such appropriations, the general assembly shall give priority consideration
23 to capital construction projects at state-supported institutions of higher
24 education that are located in communities that are substantially impacted
25 by energy production or conversion activities, and the department, or any
26 board or division within the department designated to distribute moneys
27 appropriated to the department pursuant to this paragraph (b), shall give

1 priority consideration to capital construction projects at area ~~vocational~~
2 ~~schools~~ TECHNICAL COLLEGES that are located in such communities. Only
3 capital construction projects that will be used exclusively or primarily for
4 academic purposes shall be eligible for funding pursuant to this paragraph
5 (b).

6 **SECTION 25.** In Colorado Revised Statutes, 23-60-102, **amend**
7 (3) as follows:

8 **23-60-102. Legislative declaration.** (3) The function of the
9 two-year college system is to conduct occupational, technical, and
10 community service programs with no term limitations and general
11 education, including college transfer programs with unrestricted
12 admissions. It is further the intent of this article to develop appropriate
13 occupational education and adult education programs in these and other
14 postsecondary educational institutions, to maintain and expand
15 occupational education programs in the elementary and secondary schools
16 of the state permitting local school districts already having ~~vocational~~
17 ~~schools~~ AREA TECHNICAL COLLEGES to continue to operate them, and to
18 develop work study and on-the-job training programs designed to
19 acquaint youth with the world of work and to train and retrain youth and
20 adults for employment. The general assembly intends that state agencies
21 concerned with occupational education in the public schools shall
22 cooperate with the board in planning and implementing occupational
23 education programs, to the end that the state of Colorado has complete
24 and well-balanced occupational and adult education programs available
25 to the people of Colorado at all educational levels.

26 **SECTION 26.** In Colorado Revised Statutes, 23-60-103, **amend**
27 (1) as follows:

1 **23-60-103. Definitions.** As used in this article, unless the context
2 otherwise requires:

3 (1) "~~Area vocational school~~ TECHNICAL COLLEGE" means a school
4 offering approved postsecondary vocational programs for credit, operated
5 by a local school district or by a board of cooperative services, and
6 designated by the general assembly as an area ~~vocational school~~
7 TECHNICAL COLLEGE in conformity with standards established by the state
8 board for community colleges and occupational education. Tuition rates
9 and fees charged any person not enrolled in a secondary school
10 curriculum shall be uniform for any group classification. For the purposes
11 of this article, the following schools ~~as named in this subsection (1) or as~~
12 ~~their names may be changed pursuant to section 23-60-801~~, are declared
13 to be area ~~vocational schools~~ TECHNICAL COLLEGES: The Emily Griffith
14 ~~opportunity school~~ TECHNICAL COLLEGE, the Delta-Montrose area
15 ~~vocational school~~ TECHNICAL COLLEGE, and the ~~Aurora tech center~~
16 PICKENS TECHNICAL COLLEGE.

17 **SECTION 27.** In Colorado Revised Statutes, 23-60-109, **amend**
18 (1) (a) as follows:

19 **23-60-109. Career pathways - design - legislative declaration.**

20 (1) The general assembly finds and declares that:

21 (a) The board developed the manufacturing career pathway
22 pursuant to part 10 of this article after consulting with local district junior
23 colleges and area ~~vocational schools~~ TECHNICAL COLLEGES, and in
24 collaboration with the department of labor and employment, the
25 department of higher education, the department of education, and the state
26 work force development council, created in section 24-46.3-101, C.R.S.;

27 **SECTION 28.** In Colorado Revised Statutes, **repeal** 23-60-801

1 as follows:

2 **23-60-801. Area vocational schools - name.** ~~The school district~~
3 ~~board of education or the board of cooperative services, whichever is~~
4 ~~applicable, that acts as the governing board of an area vocational school~~
5 ~~may, by resolution, rename the area vocational school to identify it as a~~
6 ~~technical college. Identifying an area vocational school as a technical~~
7 ~~college shall not change its status as an area vocational school nor change~~
8 ~~the governance or operation of the area vocational school.~~

9 **SECTION 29.** In Colorado Revised Statutes, **amend** 23-60-802
10 as follows:

11 **23-60-802. Area technical colleges - credits - transfer.** On or
12 before September 1, 2004, the board shall adopt policies to ensure that,
13 if a student completes a program of study at an area ~~vocational school~~
14 TECHNICAL COLLEGE and subsequently enrolls in an institution within the
15 state system of community and technical colleges, or transfers from an
16 area ~~vocational school~~ TECHNICAL COLLEGE to an institution within the
17 state system of community and technical colleges, any postsecondary
18 course credits earned by the student while enrolled in the area ~~vocational~~
19 ~~school~~ TECHNICAL COLLEGE will apply in full at another area ~~vocational~~
20 ~~school~~ TECHNICAL COLLEGE or to an appropriate program leading to a
21 certificate or to an associate degree at a community or technical college.
22 Postsecondary credits earned by a student at an area ~~vocational school~~
23 TECHNICAL COLLEGE may be transferred into an associate degree program
24 at a community college or into a degree program at a four-year institution
25 of higher education as provided in section 23-1-108 (7) and the state
26 credit transfer policies established by the Colorado commission on higher
27 education.

1 **SECTION 30.** In Colorado Revised Statutes, 23-60-902, **amend**
2 (1) (a), (1) (b), (1) (c), and (3) (a) as follows:

3 **23-60-902. Accelerated education and skills training -**
4 **certificates.** (1) (a) The board may collaborate with the local district
5 junior colleges, area ~~vocational schools~~ TECHNICAL COLLEGES, the unit
6 within the department of education that works with adult education, and
7 local workforce development programs to design certificate programs
8 through which an eligible adult who has an insufficient level of
9 information or math literacy may obtain a career and technical education
10 certificate on an accelerated schedule to assist him or her in entering or
11 re-entering the workforce or in obtaining better employment. Each
12 certificate program must consist of courses that integrate information and
13 math literacy development programs with career and technical training.
14 The time required to complete a certificate program must not exceed
15 twelve months.

16 (b) The board shall work with the community colleges, junior
17 district colleges, and area ~~vocational schools~~ TECHNICAL COLLEGES to
18 design the career and technical training portion of each certificate
19 program.

20 (c) The board is encouraged to collaborate with and may enter into
21 memorandums of understanding with local district junior colleges, area
22 ~~vocational schools~~ TECHNICAL COLLEGES, the unit within the department
23 of education that works with adult education, local workforce
24 development programs, and other local adult education providers to
25 ensure that the accelerated certificates program can be implemented
26 locally.

27 (3) (a) A community college in the state system of community and

1 technical colleges, a local district junior college, and an area ~~vocational~~
2 ~~school~~ TECHNICAL COLLEGE may choose to participate in the accelerated
3 certificates program by offering one or more of the certificate programs
4 created through the accelerated certificates program pursuant to
5 subsection (1) of this section.

6 **SECTION 31.** In Colorado Revised Statutes, 23-60-1003, **amend**
7 (1) as follows:

8 **23-60-1003. Manufacturing career pathway - design.** (1) No
9 later than the 2014-15 academic year, the board, after consulting with
10 local district junior colleges and area ~~vocational-schools~~ TECHNICAL
11 COLLEGES, in collaboration with the department of labor and employment,
12 the department of higher education, the department of education, and the
13 state work force development council, created in section 24-46.3-101,
14 C.R.S., shall design a career pathway for students within the
15 manufacturing sector. The manufacturing career pathway shall connect
16 school districts, local district junior colleges, area ~~vocational-schools~~
17 TECHNICAL COLLEGES, community colleges, and four-year institutions of
18 higher education with adult education programs, local workforce
19 development programs, and regional manufacturing sector partnerships,
20 and will allow a student to earn income while progressing along the
21 career pathway.

22 **SECTION 32.** In Colorado Revised Statutes, 23-61.5-101,
23 **amend** (1) as follows:

24 **23-61.5-101. Formation - petition of electors.** (1) Any area or
25 part of an area of the state which is designated by the state board for
26 community colleges and occupational education as an area to be served
27 by an area ~~vocational-school~~ TECHNICAL COLLEGE and which also

1 contains a junior college district which is designated as an area vocational
2 school TECHNICAL COLLEGE pursuant to article 60 of this title may be
3 formed as an area vocational district as provided in this part 1.

4 **SECTION 33.** In Colorado Revised Statutes, **amend** 23-61.5-110
5 as follows:

6 **23-61.5-110. Property tax - vocational services.** Each area
7 vocational district, acting through its board, ~~shall have~~ HAS the power to
8 impose an ad valorem property tax against property in the district to raise
9 revenue for the purpose of meeting the cost of the postsecondary
10 vocational services provided within the district by the area vocational
11 school TECHNICAL COLLEGE which serves and is contained in the district,
12 including but not limited to the cost of capital construction.

13 **SECTION 34.** In Colorado Revised Statutes, **amend**
14 23-61.5-112, as follows:

15 **23-61.5-112. Additions to district - procedure.** (1) If any part
16 of the area designated by the state board for community colleges and
17 occupational education as an area to be served by an area vocational
18 school TECHNICAL COLLEGE desires to be annexed to an existing area
19 vocational district, it may do so by the following procedure:

20 (a) By obtaining approval of the existing area vocational district.
21 The approval ~~shall be~~ IS given only upon a majority vote of the eligible
22 electors of the existing area vocational district as expressed by a majority
23 polled at the time of the regular biennial school election held in the area
24 vocational district. The election ~~shall~~ MUST be called only upon the
25 affirmative vote of the board.

26 (b) By obtaining approval of the eligible electors residing in the
27 part of the designated area desiring to be annexed voting on the question

1 of annexation at a regular biennial school election. The election ~~shall~~
2 MUST be called only upon the filing of a petition for inclusion with the
3 county clerk and recorder of the county in which the part is located or
4 with the county clerk and recorder of each county in which a part is
5 located if the part is located in more than one county. The petition ~~shall~~
6 MUST be signed by ten percent of the eligible electors who reside in the
7 part. The provisions of sections 23-61.5-104 and 23-61.5-106 ~~shall~~ apply
8 to the election. If more than a majority of all votes cast at the election are
9 in favor of the inclusion, the part ~~shall be~~ IS included in the area
10 vocational district.

11 **SECTION 35.** In Colorado Revised Statutes, 23-61.5-201,
12 **amend** (1) as follows:

13 **23-61.5-201. Procedure.** (1) Except as provided in subsection (2)
14 of this section, the board shall determine in each year the amount of
15 money necessary to be raised by taxation and shall fix a rate of levy
16 which, when levied upon every dollar of valuation for assessment of
17 taxable property within the district, will raise the amount required by the
18 district annually to supply funds to defray its expenses, including but not
19 limited to the cost of postsecondary vocational services provided by the
20 area ~~vocational school~~ TECHNICAL COLLEGE and capital construction.

21 **SECTION 36.** In Colorado Revised Statutes, 23-71-302, **amend**
22 (1) as follows:

23 **23-71-302. Distribution of grants.** (1) The board shall annually
24 certify to the state treasurer the amount of the direct grants to be paid to
25 Colorado mountain college, Aims community college, and the area
26 ~~vocational schools~~ TECHNICAL COLLEGES, as specified by the general
27 assembly and appropriated pursuant to section 23-18-304 for the

1 applicable fiscal year. Each institution or area ~~vocational school~~
2 TECHNICAL COLLEGE may use the direct grants for current operating costs
3 or for capital construction.

4 **SECTION 37.** In Colorado Revised Statutes, 23-71-303, **amend**
5 (1) as follows:

6 **23-71-303. Distributions to area technical colleges.** (1) Any
7 area ~~vocational school~~ TECHNICAL COLLEGE operating or organized and
8 operating as such during the entire school year may be reimbursed by the
9 state in an amount specified annually by the general assembly pursuant to
10 section 23-18-304. ~~In no instance shall~~ Such reimbursement MUST NOT
11 exceed the total direct cost of the vocational program per FTE.

12 **SECTION 38.** In Colorado Revised Statutes, 24-19.9-101,
13 **amend** (2) as follows:

14 **24-19.9-101. Definitions.** As used in this article, unless the
15 context otherwise requires:

16 (2) "Institution of higher education" means a state university or
17 college, community college, junior college, local district college, or area
18 ~~vocational school~~ TECHNICAL COLLEGE described in title 23, C.R.S.

19 **SECTION 39.** In Colorado Revised Statutes, 24-46.3-101,
20 **amend** (2) (d) (IV) as follows:

21 **24-46.3-101. State work force development council - creation**
22 **- membership - funding through gifts, grants, and donations - talent**
23 **pipeline cash fund.** (2) Membership of the state council must include:

24 (d) Other members appointed by the governor, who are:

25 (IV) Representatives of organizations and individuals that have
26 experience and expertise in the delivery of work force investment
27 activities, including chief executive officers of community colleges, AREA

1 TECHNICAL COLLEGES, and community-based organizations in the state;

2 **SECTION 40.** In Colorado Revised Statutes, 24-46.3-301,
3 **amend** (2) as follows:

4 **24-46.3-301. Definitions.** As used in this part 3, unless the
5 context otherwise requires:

6 (2) "Area ~~vocational school~~ TECHNICAL COLLEGE" has the same
7 meaning as provided in section 23-60-103, C.R.S.

8 **SECTION 41.** In Colorado Revised Statutes, 23-46.3-302,
9 **amend** (1) (a), (2) (a) (II), and (2) (a) (VII) as follows:

10 **24-46.3-302. Postsecondary and work force readiness**
11 **statewide coordinator - position created - duties.** (1) (a) There is
12 created the position of postsecondary and work force readiness statewide
13 coordinator to work under the direction of the state work force
14 development council. The statewide coordinator works with and helps to
15 coordinate the efforts of local education providers, businesses, industry,
16 area ~~vocational schools~~ TECHNICAL COLLEGES, community colleges,
17 apprenticeship programs, the department of education, the work force
18 development council, the career and technical education division within
19 the Colorado community college system, the department of higher
20 education, college preparation programs, and other appropriate entities to
21 raise the level of postsecondary and work force readiness that Colorado
22 high school graduates achieve, especially with regard to readiness upon
23 high school graduation for skilled career positions in business and
24 industry.

25 (2) (a) The statewide coordinator shall assist local education
26 providers in:

27 (II) Implementing concurrent enrollment programs as provided in

1 article 35 of title 22, C.R.S., and in entering into concurrent enrollment
2 agreements with area ~~vocational schools~~ TECHNICAL COLLEGES,
3 community colleges, and four-year institutions of higher education;

4 (VII) Developing partnerships with businesses, industry, unions,
5 area ~~vocational schools~~ TECHNICAL COLLEGES, community colleges,
6 apprenticeship programs, and other entities to create opportunities for
7 students to participate in educational and training programs that lead to
8 obtaining a career entry-level credential.

9 **SECTION 42.** In Colorado Revised Statutes, 24-77-104.5,
10 **amend** (4) (a) (IX) as follows:

11 **24-77-104.5. General fund exempt account - appropriations to**
12 **critical needs fund - specification of uses for health care and**
13 **education - definitions.** (4) (a) Funding for the benefit of students
14 attending community colleges and other institutions of higher education,
15 as used in subparagraph (III) of paragraph (b) of subsection (1) of this
16 section, shall be limited to funding for:

17 (IX) Area ~~vocational school~~ TECHNICAL COLLEGE grants.

18 **SECTION 43.** In Colorado Revised Statutes, 39-3-124, **amend**
19 (1) (b) (II) as follows:

20 **39-3-124. Property used by state entity - installment sales or**
21 **lease agreement - lease-purchase or leveraged lease agreement -**
22 **exemption.** (1) (b) (II) For purposes of this paragraph (b),
23 "state-supported institution of higher education" includes, but need not be
24 limited to, all postsecondary institutions in the state supported in whole
25 or in part by state funds, including junior colleges and community
26 colleges, extension programs of the state-supported universities and
27 colleges, local district colleges, area ~~vocational schools~~ TECHNICAL

1 COLLEGES, and the institutions governed by the regents of the university
2 of Colorado.

3 **SECTION 44.** In Colorado Revised Statutes, 39-22-531, **amend**
4 (1) (h.5) as follows:

5 **39-22-531. Colorado job growth incentive tax credit - rules -**
6 **definitions - repeal.** (1) As used in this section, unless the context
7 otherwise requires:

8 (h.5) "State institution of higher education" means a state
9 institution of higher education as defined in section 23-18-102 (10),
10 C.R.S., a junior college, or an area ~~vocational school~~ TECHNICAL
11 COLLEGE.

12 **SECTION 45.** In Colorado Revised Statutes, 39-30.5-103,
13 **amend** (11) introductory portion as follows:

14 **39-30.5-103. Definitions.** As used in this article, unless the
15 context otherwise requires:

16 (11) "State institution of higher education" means a state
17 institution of higher education as defined in section 23-18-102 (10),
18 C.R.S., a junior college, or an area ~~vocational school~~ TECHNICAL COLLEGE
19 that:

20 **SECTION 46.** In Colorado Revised Statutes, 23-3.3-1004,
21 **amend** (4) (a) (III) (D) as follows:

22 **23-3.3-1004. Colorado opportunity scholarship initiative**
23 **advisory board - created - duties - rules.** (4) The board shall hold its
24 first meeting on or before November 1, 2014, at a time and place to be
25 designated by the executive director or by his or her designee. The board
26 shall meet at least four times each year and shall carry out the following
27 duties:

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

3 (III) Rules establishing permissible uses of grant and scholarship
4 moneys from the initiative, which rules shall stipulate that:

5 (D) To the extent practicable, grants of tuition assistance must be
6 awarded to students representing rural and urban areas of the state and to
7 students attending public vocational schools, AREA TECHNICAL COLLEGES,
8 community colleges, four-year institutions of higher education, and
9 research institutions; and

10 **SECTION 47.** In Colorado Revised Statutes, 23-41-114, **amend**
11 (4) (b) (IV) (A) as follows:

12 **23-41-114. Colorado energy research institute - creation.**

13 (4) The institute shall conduct:

14 (b) The following specific research and educational programs
15 designed to meet the information needs of the department of natural
16 resources, other agencies of the state's executive branch, the legislature,
17 and the public:

18 (IV) (A) To facilitate economic development by funding local
19 community colleges, colleges, AREA TECHNICAL COLLEGES, and
20 vocational schools in regions where energy development is occurring and
21 by providing grants for job training and education resources to advance
22 knowledge and skill development that goes beyond basic research and
23 helps attract, educate, and train people for employment.

24 **SECTION 48. Act subject to petition - effective date.** This act
25 takes effect at 12:01 a.m. on the day following the expiration of the
26 ninety-day period after final adjournment of the general assembly (August
27 10, 2016, if adjournment sine die is on May 11, 2016); except that, if a

1 referendum petition is filed pursuant to section 1 (3) of article V of the
2 state constitution against this act or an item, section, or part of this act
3 within such period, then the act, item, section, or part will not take effect
4 unless approved by the people at the general election to be held in
5 November 2016 and, in such case, will take effect on the date of the
6 official declaration of the vote thereon by the governor.