A BILL FOR AN ACT

CONCERNING CONSUMER INFORMATION ON POSTSECONDARY TRAINING PROGRAMS.

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://leg.colorado.gov/)

The bill expands the information that private occupational schools (schools) must provide to prospective students before the student enrolls in a program. The additional information that must be provided is set forth in the bill and includes, in part, program completion rates, post-graduation employment rates, average and median student loan debt, loan repayment rates, and legal barriers to entry into an occupation for
which the school provides a training program.

The division of private occupational schools in the department of higher education (department) shall collect the data schools are required to provide to prospective students and any other data requested by the department to populate a postsecondary education and training comparative tool (comparative tool) created in the bill. The private occupational school board (board) shall prescribe policies and procedures for the collection of information from the schools. The board may determine a time frame for schools to provide information that is temporarily unavailable and may exempt a school or schools from certain information that is unreasonably burdensome for the school or schools to provide.

The bill directs the department to use the information collected from schools to populate the comparative tool. The comparative tool is a free, public, online resource that allows prospective students and interested persons to access information regarding schools to assist in making informed decisions about postsecondary education and training program options in the state.

The comparative tool includes, in part, information on career selection and jobs in demand in the future and information relating to schools and programs including program completion rates, employment rates and earnings, and the aggregate amount of student debt.

The department shall report to the general assembly concerning implementation of the comparative tool.

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

SECTION 1. Legislative declaration. (1) The general assembly hereby finds and declares that:

(a) Many Coloradans seek additional education and training to get a good job or increase their earnings;
(b) Postsecondary education and training is one of the largest investments that people make; and
(c) The average student debt for the majority of Colorado students who graduate with debt exceeds $25,000.

(2) Therefore, the general assembly declares that it is important for prospective consumers of postsecondary education to have
information, including graduation rates and earnings of students completing programs, in order to make informed decisions about student loan debt.

SECTION 2. In Colorado Revised Statutes, 12-59-105.3, amend (1) introductory portion; and add (1)(o) as follows:

12-59-105.3. Powers and duties of board. (1) The board shall have the following powers and duties:

(o) TO PRESCRIBE UNIFORM POLICIES AND PROCEDURES FOR THE COLLECTION OF INFORMATION FROM PRIVATE OCCUPATIONAL SCHOOLS PURSUANT TO SECTIONS 12-59-106 AND 23-1-134.

SECTION 3. In Colorado Revised Statutes, amend 12-59-105.4 as follows:

12-59-105.4. Duties of private occupational schools. (1) A private occupational school shall provide the division with such data as the board deems necessary upon written request of the board. Data pertaining to individual students or personnel must not be divulged or made known in any way by a member of the board, by the director, or by any division or school employee, except in accordance with judicial order or as otherwise provided by law. A person who violates this section commits a class 1 misdemeanor and is punished as provided in section 18-1.3-501. C.R.S. In addition, such the person is subject to removal or dismissal from public service on grounds of malfeasance in office.

(2) A PRIVATE OCCUPATIONAL SCHOOL SHALL ANNUALLY COLLECT AND PROVIDE TO THE DIVISION PURSUANT TO SECTION 12-59-105.3 (1)(o) INFORMATION THAT IS REQUIRED TO BE PROVIDED TO PROSPECTIVE STUDENTS PURSUANT TO SECTION 12-59-106 AND ANY INFORMATION
REQUESTED BY THE DEPARTMENT OF HIGHER EDUCATION FOR PURPOSES
OF POPULATING THE POSTSECONDARY EDUCATION AND TRAINING
PROGRAM COMPARATIVE TOOL DESCRIBED IN SECTION 23-1-134,
INCLUDING STUDENT-LEVEL RECORDS THAT MAY BE MATCHED WITH
OTHER STATE-HELD DATA TO DETERMINE TRANSFERS AND EMPLOYMENT
INFORMATION.

SECTION 4. In Colorado Revised Statutes, 12-59-106, amend
(1)(f) as follows:

12-59-106. Minimum standards. (1) In establishing the criteria
required by section 12-59-105.3 (1)(a), (1)(b), and (1)(k), the board shall
observe and require compliance with at least the following minimum
standards for all schools:

(f) (I) That, PRIOR TO THE BEGINNING OF CLASSES AND THE
EXECUTION OF AND PAYMENT TOWARD AN INITIAL ENROLLMENT
AGREEMENT OR CONTRACT, the school provides MAKES AVAILABLE TO
each prospective student with a school catalog and other BOTH ONLINE
AND printed information describing:

(A) The educational services offered, and describing entrance
requirements, program objectives, AND THE length of programs;

(B) THE schedule of tuitions, fees, AND all other charges and
expenses necessary for the completion of the program of study, AS WELL
AS cancellation and refund policies;

(C) PROGRAM COMPLETION RATES;

(D) STUDENT TRANSFER RATES FROM THE SCHOOL TO OTHER
INSTITUTIONS OF HIGHER EDUCATION, IF KNOWN BY THE INSTITUTION;

(E) THE PERCENTAGE OF STUDENTS EMPLOYED AFTER COMPLETION
OR EXIT FROM THE PROGRAM FOR THE CALENDAR PERIODS DETERMINED BY
THE BOARD;

(F) THE MEDIAN SALARY OF STUDENTS AFTER COMPLETION OR
EXIT FROM THE PROGRAM FOR THE CALENDAR PERIODS DETERMINED BY
THE BOARD;

(G) IF THE SCHOOL PARTICIPATES IN THE FEDERAL STUDENT LOAN
PROGRAM, THE AVERAGE AND MEDIAN PER-STUDENT AMOUNT OF FEDERAL
STUDENT LOAN DEBT UPON COMPLETION OR EXIT FROM THE PROGRAM, THE
PER-STUDENT FEDERAL LOAN REPAYMENT RATE FOR THE PROGRAM, AND
THE COHORT DEFAULT RATE FOR THE PROGRAM, SO LONG AS THE
INFORMATION IS AVAILABLE FROM THE FEDERAL GOVERNMENT;

(H) ANY LEGAL BARRIERS TO ENTRY INTO AN OCCUPATION FOR
WHICH THE SCHOOL OFFERS A TRAINING PROGRAM; and

(I) such Any other material facts concerning the school and the
program of instruction that are likely to affect the decision of a student to
enroll therein IN THE SCHOOL OR PROGRAM as required by the board; and
that such information is provided to a prospective student prior to the
commencement of classes and the execution of any enrollment agreement
or contract;

(II) THE SCHOOL SHALL PROVIDE THE INFORMATION REQUIRED
Pursuant to subsection (1)(f)(I) of this section for each program
at each campus or location; and

(III) Notwithstanding the requirement to provide
prospective students with the information listed in subsection
(1)(f)(I) of this section, the board may determine on a
case-by-case basis that the information to be disclosed is
unavailable or that the time frame for disclosure by schools of
specific information is unreasonably burdensome;
SECTION 5. In Colorado Revised Statutes, add 23-1-134 as follows:

23-1-134. Department directive - postsecondary education and training program comparative tool - definitions - legislative declaration - repeal. (1) The General Assembly finds and declares that students and their families evaluating whether to enroll in or finance a postsecondary education and training program should have easy access to information relevant to making informed decisions regarding these programs. Therefore, the General Assembly declares that it is beneficial to collect information from postsecondary education and training programs operating in Colorado and to use the information to populate a free, online comparative tool for Coloradans to ensure transparency in postsecondary education and training options. It is the intent of the General Assembly that comparative information relating to postsecondary education and training programs aligns with the type of information collected from and provided by state institutions of higher education.

(2) As used in this section, unless the context otherwise requires:

   (a) "Comparative tool" means information collected pursuant to this section and made available as a free, public, online resource.

   (b) "Postsecondary education and training program" means a program of a private occupational school authorized by the private occupational school division pursuant to the
PROVISIONS OF ARTICLE 59 OF TITLE 12.

(3) (a) No later than July 1, 2018, the Department shall ensure that information collected pursuant to this section and Article 59 of Title 12 is used to populate the comparative tool pursuant to the provisions of this section so that prospective students and their families, program administrators, policymakers, and the general public have access to comparative information to assist them in making informed decisions concerning postsecondary education and training programs operating in Colorado.

(b) It is the intent of the General Assembly that the comparative information for postsecondary education and training programs described in this section be included in a single online resource that also includes information from state institutions of higher education and training and apprenticeship programs.

(c) (I) The Department shall report to the General Assembly concerning the implementation of this section at the Department's annual presentation pursuant to Section 2-7-203, made during the interim before the start of both the 2018 and 2019 regular legislative sessions. If the information collected pursuant to this section is not included in a single online resource that includes information from state institutions of higher education and training and apprenticeship programs as intended pursuant to subsection (3)(b) of this section, the Department shall explain why the comparative tool was not implemented in that manner.
(II) THIS SUBSECTION (3)(c) IS REPEALED, EFFECTIVE JULY 1, 2019.

(4) THE POSTSECONDARY EDUCATION AND TRAINING PROGRAM COMPARATIVE TOOL MUST INCLUDE, TO THE EXTENT POSSIBLE:

(a) INFORMATION RELATED TO SELECTING A CAREER, INCLUDING JOBS THAT WILL BE IN DEMAND OVER THE NEXT TEN YEARS AND THE EDUCATION AND TRAINING REQUIRED FOR THOSE JOBS; AND

(b) FOR EACH POSTSECONDARY EDUCATION AND TRAINING PROGRAM OF STUDY, INFORMATION INCLUDING, AT A MINIMUM, PROGRAM COSTS, PROGRAM COMPLETION AND PROGRAM CREDENTIAL ATTAINMENT RATES, AGGREGATE EMPLOYMENT AND EARNINGS INFORMATION OF FORMER STUDENTS BASED ON DATA MATCHING WITH WAGE RECORDS AND AGGREGATE INFORMATION ABOUT STUDENT LOAN DEBT, AND ADDITIONAL INFORMATION AS DETERMINED BY THE DEPARTMENT.

(5) THE DEPARTMENT MAY USE THE INFORMATION COLLECTED PURSUANT TO THIS SECTION INTERNALLY OR FOR OTHER PURPOSES CONSISTENT WITH THE PURPOSES OF THIS SECTION.

SECTION 6. Act subject to petition - effective date. (1) Except as provided in subsection (2), this act takes effect at 12:01 a.m. on the day following the expiration of the ninety-day period after final adjournment of the general assembly (August 9, 2017, if adjournment sine die is on May 10, 2017); except that, if a referendum petition is filed pursuant to section 1 (3) of article V of the state constitution against this act or an item, section, or part of this act within such period, then the act, item, section, or part will not take effect unless approved by the people at the general election to be held in November 2018 and, in such case, will take effect on the date of the official declaration of the vote thereon by the
1 governor.

2 (2) Sections 3 and 4 of this act take effect January 1, 2018.