

Second Regular Session
Seventy-third General Assembly
STATE OF COLORADO

INTRODUCED

LLS NO. 22-0490.01 Jacob Baus x2173

HOUSE BILL 22-1107

HOUSE SPONSORSHIP

Young and Bradfield,

SENATE SPONSORSHIP

Cooke and Bridges,

House Committees
Education

Senate Committees

A BILL FOR AN ACT

101 CONCERNING MEASURES RELATED TO CREATING HIGHER EDUCATION
102 OPPORTUNITIES FOR PERSONS WITH INTELLECTUAL AND
103 DEVELOPMENTAL DISABILITIES.

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 creates in the department of higher education (department) the inclusive higher education grant program to provide grants to state institutions of higher education for the purpose of establishing, or expanding existing, inclusive higher education programs for students with intellectual and developmental disabilities.

Shading denotes HOUSE amendment. Double underlining denotes SENATE amendment.
Capital letters or bold & italic numbers indicate new material to be added to existing statute.
Dashes through the words indicate deletions from existing statute.

1 PROGRAMS REAP THE BENEFITS OF HIGHER EDUCATION, INCLUDING HIGH
2 EMPLOYMENT RATES, BETTER WAGES, INCREASED SOCIALIZATION,
3 COMMUNITY BELONGING, AND GREATER INDEPENDENCE;

4 (d) IN 2014, UNDER THE LEADERSHIP OF IN! PATHWAYS TO
5 INCLUSIVE HIGHER EDUCATION, EDUCATORS, ADVOCATES FOR PERSONS
6 WITH INTELLECTUAL DISABILITIES, STUDENTS, AND FAMILIES BEGAN
7 WORKING TO CREATE INCLUSIVE OPPORTUNITIES FOR STUDENTS WITH
8 INTELLECTUAL DISABILITIES, AS COLORADO WAS ONE OF ONLY FOUR
9 STATES THAT DID NOT HAVE AN INCLUSIVE HIGHER EDUCATION PATHWAY
10 FOR STUDENTS WITH INTELLECTUAL DISABILITIES;

11 (e) IN 2016, THE GENERAL ASSEMBLY ENACTED A FIVE-YEAR
12 INCLUSIVE HIGHER EDUCATION PILOT PROGRAM AT THE UNIVERSITY OF
13 NORTHERN COLORADO, THE UNIVERSITY OF COLORADO AT COLORADO
14 SPRINGS, AND ARAPAHOE COMMUNITY COLLEGE;

15 (f) AS OF 2022, APPROXIMATELY SEVENTY STUDENTS WITH
16 INTELLECTUAL DISABILITIES ARE ENROLLED IN A HIGHER EDUCATION
17 INSTITUTION, PARTICIPATING IN TRADITIONAL CLASSES AND COURSE
18 WORK, LIVING INCLUSIVELY ON CAMPUS, AND PREPARING FOR THEIR
19 CAREERS;

20 (g) INCLUSIVE HIGHER EDUCATION PATHWAYS ARE DESIGNED TO
21 FOCUS ON ACADEMIC GROWTH, SOCIAL DEVELOPMENT, INDEPENDENCE,
22 AND CAREER ADVANCEMENT;

23 (h) HIGHER EDUCATION OPPORTUNITIES FOR STUDENTS WITH
24 INTELLECTUAL DISABILITIES:

25 (I) CREATE CAREER PATHWAYS FOR STUDENTS WITH
26 INTELLECTUAL DISABILITIES;

27 (II) ENSURE STUDENTS WITH INTELLECTUAL DISABILITIES ENTER

1 THE WORKFORCE WITH IN-DEMAND SKILLS;

2 (III) INCREASE INCLUSION, SOCIAL INTERACTIONS, AND
3 MEANINGFUL COMMUNITY CONTRIBUTIONS FOR STUDENTS WITH
4 INTELLECTUAL DISABILITIES;

5 (IV) REDUCE RELIANCE ON FAMILY AND COMMUNITY RESOURCES
6 BY STUDENTS WITH INTELLECTUAL DISABILITIES; AND

7 (V) PROVIDE EMPLOYERS WITH ACCESS TO A HISTORICALLY
8 UNDERUTILIZED WORKFORCE;

9 (i) SINCE 2016, UNDER THE LEADERSHIP OF IN! PATHWAYS TO
10 INCLUSIVE HIGHER EDUCATION AND THE COLORADO INCLUSION
11 CONSORTIUM, MANY ADVANCEMENTS HAVE BEEN MADE IN COLORADO FOR
12 INCLUSIVE HIGHER EDUCATION FOR STUDENTS WITH INTELLECTUAL
13 DISABILITIES, INCLUDING THE ABILITY TO EARN CREDENTIALS AT
14 GRADUATION, ACCESS TO FEDERAL FINANCIAL AID, AND PARTNERSHIPS TO
15 SUPPORT VOCATIONAL GOALS; AND

16 (j) THE SUCCESS OF THE PILOT PROGRAM HAS CREATED
17 SIGNIFICANT DEMAND FOR MORE OPPORTUNITIES THROUGHOUT
18 COLORADO.

19 (2) THEREFORE, THE GENERAL ASSEMBLY DECLARES IT IS
20 BENEFICIAL TO CREATE HIGHER EDUCATION OPPORTUNITIES THAT SUPPORT
21 STUDENTS WITH INTELLECTUAL AND DEVELOPMENTAL DISABILITIES AND
22 TO DEVELOP INCLUSIVE HIGHER EDUCATION PROGRAMS IN COLORADO.

23 **23-79-103. Definitions.** AS USED IN THIS ARTICLE 79, UNLESS THE
24 CONTEXT OTHERWISE REQUIRES:

25 (1) "ADMINISTERING ENTITY" MEANS THE ENTITY SELECTED BY
26 THE DEPARTMENT TO ADMINISTER THE INCLUSIVE HIGHER EDUCATION
27 GRANT PROGRAM.

1 (2) "CASH FUND" MEANS THE INCLUSIVE HIGHER EDUCATION
2 OPPORTUNITIES CASH FUND CREATED IN SECTION 23-79-108.

3 (3) "COMMISSION" MEANS THE COLORADO COMMISSION ON
4 HIGHER EDUCATION ESTABLISHED IN SECTION 23-1-102.

5 (4) "DEPARTMENT" MEANS THE DEPARTMENT OF HIGHER
6 EDUCATION CREATED AND EXISTING PURSUANT TO SECTION 24-1-114.

7 (5) "GRANT PROGRAM" MEANS THE INCLUSIVE HIGHER EDUCATION
8 GRANT PROGRAM CREATED IN SECTION 23-79-104.

9 (6) "INCLUSIVE HIGHER EDUCATION" MEANS ACCESS TO HIGHER
10 EDUCATION, AS PROVIDED BY A STATE INSTITUTION OF HIGHER
11 EDUCATION, BY STUDENTS WITH INTELLECTUAL AND DEVELOPMENTAL
12 DISABILITIES THAT:

13 (a) ENABLES THE STUDENT TO HAVE ALL OF THE RIGHTS,
14 RESPONSIBILITIES, PRIVILEGES, BENEFITS, AND OUTCOMES THAT RESULT
15 FROM A HIGHER EDUCATION EXPERIENCE TO THE GREATEST EXTENT
16 POSSIBLE, INCLUDING ACADEMIC SUCCESS, CAREER DEVELOPMENT,
17 CAMPUS ENGAGEMENT, SELF-DETERMINATION, PARTICIPATION IN PAID
18 WORK EXPERIENCES, ON-CAMPUS OR OFF-CAMPUS LIVING, INCLUSIVE
19 SOCIAL ACTIVITIES, AND ACCESS TO AND INSTRUCTION IN TECHNOLOGY;
20 AND

21 (b) UPON SUCCESSFUL COMPLETION OF AN INCLUSIVE HIGHER
22 EDUCATION PROGRAM, RESULTS IN THE STUDENT RECEIVING A
23 MEANINGFUL CREDENTIAL FROM THE STATE INSTITUTION OF HIGHER
24 EDUCATION.

25 (7) "STATE INSTITUTION OF HIGHER EDUCATION" MEANS A STATE
26 INSTITUTION OF HIGHER EDUCATION AS DEFINED IN SECTION 23-18-102
27 (10).

1 (8) "STUDENT" MEANS A PERSON WITH AN INTELLECTUAL OR
2 DEVELOPMENTAL DISABILITY WHO IS ENROLLED IN AN INCLUSIVE HIGHER
3 EDUCATION PROGRAM IN A STATE INSTITUTION OF HIGHER EDUCATION.

4 **23-79-104. Inclusive higher education grant program - created**
5 **- duties - policies.** (1) THERE IS CREATED IN THE DEPARTMENT THE
6 INCLUSIVE HIGHER EDUCATION GRANT PROGRAM TO PROVIDE GRANTS TO
7 STATE INSTITUTIONS OF HIGHER EDUCATION FOR THE PURPOSE OF
8 ESTABLISHING, OR EXPANDING EXISTING, INCLUSIVE HIGHER EDUCATION
9 PROGRAMS FOR STUDENTS WITH INTELLECTUAL AND DEVELOPMENTAL
10 DISABILITIES.

11 (2) A STATE INSTITUTION OF HIGHER EDUCATION THAT RECEIVES
12 A GRANT THROUGH THE GRANT PROGRAM SHALL USE THE MONEY FOR THE
13 PURPOSE OF ESTABLISHING AN, OR EXPANDING AN EXISTING, INCLUSIVE
14 HIGHER EDUCATION PROGRAM. THE GRANT RECIPIENT MAY USE THE
15 GRANT AWARD TO:

16 (a) PERFORM AN INSTITUTIONAL ASSESSMENT TO DETERMINE
17 TRAINING, TECHNICAL ASSISTANCE, AND THE CAPACITY NEEDED TO
18 PROVIDE INCLUSIVE HIGHER EDUCATION OPPORTUNITIES FOR STUDENTS
19 WITH INTELLECTUAL AND DEVELOPMENTAL DISABILITIES;

20 (b) IDENTIFY INSTITUTIONAL POLICIES AND PRACTICES THAT
21 FOSTER OR IMPEDE INCLUSIVE HIGHER EDUCATION OPPORTUNITIES;

22 (c) OFFER PROGRAMS AND SUPPORTS FOR THE STUDENTS THAT
23 ALLOW EACH STUDENT TO TAKE FOR CREDIT OR TO AUDIT A MINIMUM OF
24 TWO ON-CAMPUS UNDERGRADUATE COURSES EACH SEMESTER IN A
25 STUDENT'S CHOSEN AREA OF STUDY, AND TO TAKE A COURSE EACH
26 SEMESTER THAT IS DESIGNED TO MEET THE NEEDS OF EACH STUDENT AND
27 NECESSARY TO RECEIVE THE AWARD OF A CREDENTIAL IN THE STUDENT'S

1 CHOSEN AREA OF STUDY;

2 (d) INTEGRATE THE STUDENTS ACADEMICALLY AND SOCIALLY INTO
3 THE NORMATIVE OFFERINGS OF THE STATE INSTITUTION OF HIGHER
4 EDUCATION;

5 (e) PROVIDE PEER MENTORING SERVICES FOR THE STUDENTS;

6 (f) COORDINATE PROGRAMS AND SUPPORTS WITH AVAILABLE
7 VOCATIONAL REHABILITATION THROUGH THE DEPARTMENT OF LABOR AND
8 EMPLOYMENT;

9 (g) PROVIDE PROGRAMS AND SUPPORTS THAT PREPARE THE
10 STUDENTS FOR GAINFUL COMPETITIVE EMPLOYMENT;

11 (h) PROVIDE PROGRAMS AND SUPPORTS FOR THE STUDENTS TO
12 DEVELOP INDEPENDENT LIVING SKILLS, INCLUDING SELF-CARE,
13 SOCIALIZATION, CAREER READINESS, HEALTHY LIFESTYLE CHOICES, AND
14 FINANCIAL LITERACY;

15 (i) PROVIDE BENEFITS COUNSELING TO THE STUDENTS;

16 (j) DEVELOP ADMISSIONS STANDARDS THAT DO NOT REQUIRE
17 STUDENTS APPLYING TO PARTICIPATE IN AN INCLUSIVE HIGHER EDUCATION
18 PROGRAM TO TAKE A NATIONAL ASSESSMENT TEST AS AN ADMISSION
19 REQUIREMENT; AND

20 (k) PERFORM OUTREACH TO HIGH SCHOOLS TO ENSURE AWARENESS
21 OF AVAILABLE INCLUSIVE HIGHER EDUCATION OPPORTUNITIES.

22 (3) NO LATER THAN SEPTEMBER 30, 2022, THE DEPARTMENT
23 SHALL ISSUE A REQUEST FOR PROPOSALS FOR AN ORGANIZATION TO
24 ADMINISTER THE GRANT PROGRAM. THE DEPARTMENT SHALL SELECT AND
25 CONTRACT WITH AN ORGANIZATION THAT HAS DEMONSTRATED SUCCESS
26 IN ASSISTING STUDENTS WITH INTELLECTUAL AND DEVELOPMENTAL
27 DISABILITIES ATTEND STATE INSTITUTIONS OF HIGHER EDUCATION. THE

1 DEPARTMENT SHALL SELECT THE ADMINISTERING ENTITY AND ENTER INTO
2 A CONTRACT WITH THE ADMINISTERING ENTITY NO LATER THAN
3 DECEMBER 30, 2022, WHICH CONTRACT IS SUBJECT TO ANNUAL REVIEW
4 AND RENEWAL.

5 (4) THE DEPARTMENT AND ADMINISTERING ENTITY SHALL
6 IMPLEMENT THE GRANT PROGRAM IN ACCORDANCE WITH THIS ARTICLE 79.
7 GRANTS MUST BE AWARDED AS PROVIDED IN THIS ARTICLE 79 AND PAID
8 OUT OF THE CASH FUND.

9 (5) UPON RECEIVING NOTICE FROM THE ADMINISTERING ENTITY
10 THAT A STATE INSTITUTION OF HIGHER EDUCATION IS SELECTED TO
11 RECEIVE A GRANT, THE DEPARTMENT SHALL, AS SOON AS PRACTICABLE,
12 TRANSFER TO THE ADMINISTERING ENTITY THE AMOUNT OF THE GRANT
13 AWARD FROM THE CASH FUND.

14 (6) THE COMMISSION SHALL ADOPT POLICIES AS REQUIRED BY THIS
15 ARTICLE 79 OR AS MAY BE NECESSARY TO IMPLEMENT THE GRANT
16 PROGRAM. AT A MINIMUM, THE POLICIES MUST SPECIFY THE FORM OF THE
17 GRANT PROGRAM APPLICATION, THE TIME FRAMES FOR APPLYING FOR
18 GRANTS, AND THE TIME FRAMES FOR DISTRIBUTING GRANT MONEY.

19 **23-79-105. Administering entity - duties - funding.** (1) THE
20 ADMINISTERING ENTITY SHALL:

21 (a) ADMINISTER THE GRANT PROGRAM IN ACCORDANCE WITH THIS
22 ARTICLE 79, INCLUDING ESTABLISHING AND IMPLEMENTING THE PROCESS
23 BY WHICH A STATE INSTITUTION OF HIGHER EDUCATION MAY APPLY TO
24 RECEIVE A GRANT; AND

25 (b) PERFORM ANNUAL EVALUATIONS OF GRANT RECIPIENTS
26 REGARDING THE PERFORMANCE AND IMPLEMENTATION OF AN INCLUSIVE
27 HIGHER EDUCATION PROGRAM PURSUANT TO SECTION 23-79-107.

1 (2) OF THE MONEY ANNUALLY APPROPRIATED TO THE
2 DEPARTMENT PURSUANT TO SECTION 23-79-108, NOT MORE THAN TWENTY
3 PERCENT SHALL BE USED TO COMPENSATE THE ADMINISTERING ENTITY TO
4 OFFSET THE COSTS THAT THE ADMINISTERING ENTITY INCURS IN
5 ADMINISTERING THE GRANT PROGRAM. THE CONTRACT BETWEEN THE
6 DEPARTMENT AND THE ADMINISTERING ENTITY MUST NOT INCLUDE ANY
7 ADDITIONAL AMOUNT OF REMUNERATION TO THE ADMINISTERING ENTITY
8 FROM THE STATE. THE DEPARTMENT SHALL COMPENSATE THE
9 ADMINISTERING ENTITY WITH FUNDS OUT OF THE CASH FUND.

10 **23-79-106. Applications - criteria - awards.** (1) TO RECEIVE A
11 GRANT, A STATE INSTITUTION OF HIGHER EDUCATION MUST SUBMIT AN
12 APPLICATION TO THE ADMINISTERING ENTITY IN ACCORDANCE WITH
13 POLICIES ADOPTED BY THE COMMISSION.

14 (2) THE ADMINISTERING ENTITY SHALL REVIEW THE APPLICATIONS
15 RECEIVED PURSUANT TO THIS SECTION. IN AWARDING GRANTS, THE
16 ADMINISTERING ENTITY SHALL CONSIDER THE INTENDED EXPENSES AND
17 ASSOCIATED COSTS PROPOSED BY THE APPLICANT RELATIVE TO THE
18 MONEY ANNUALLY APPROPRIATED TO THE DEPARTMENT PURSUANT TO
19 SECTION 23-79-108, TO ACHIEVE THE GREATEST INTENDED IMPACT OF THE
20 GRANT PROGRAM ACROSS COLORADO, INCLUDING MAXIMIZING ACCESS
21 AND OPPORTUNITY FOR ALL STUDENTS REGARDLESS OF DEMOGRAPHIC OR
22 GEOGRAPHIC DIVERSITY.

23 **23-79-107. Evaluation and reporting requirements.** (1) ON OR
24 BEFORE JULY 1, 2024, AND ON OR BEFORE JULY 1 EACH YEAR THEREAFTER,
25 THE ADMINISTERING ENTITY SHALL PERFORM AN EVALUATION OF THE
26 PERFORMANCE OF THE INCLUSIVE HIGHER EDUCATION PROGRAM AT EACH
27 STATE INSTITUTION OF HIGHER EDUCATION THAT RECEIVED A GRANT. THE

1 EVALUATION MUST:

2 (a) REVIEW EACH INCLUSIVE HIGHER EDUCATION PROGRAM AND
3 COMPARE THE PROGRAMS TO RECOGNIZED ACCREDITATION STANDARDS
4 AND BEST PRACTICES;

5 (b) INCLUDE COMPREHENSIVE SURVEYS OF INCLUSIVE HIGHER
6 EDUCATION PROGRAM STAKEHOLDERS, INCLUDING STUDENTS, STUDENTS'
7 FAMILIES, PEER MENTORS, FACULTY, AND STAFF; AND

8 (c) INCLUDE ASSESSMENTS FOR STUDENTS TO DEMONSTRATE
9 GROWTH IN INDEPENDENT LIVING, INCLUDING SELF-CARE, SOCIALIZATION,
10 CAREER READINESS, HEALTHY LIFESTYLE CHOICES, AND FINANCIAL
11 LITERACY.

12 (2) ON OR BEFORE JULY 1, 2024, AND ON OR BEFORE JULY 1 EACH
13 YEAR THEREAFTER, THE ADMINISTERING ENTITY SHALL PERFORM A
14 COMPREHENSIVE SURVEY OF FORMER STUDENTS AND FORMER STUDENTS'
15 FAMILIES. THE SURVEY MUST SOLICIT INFORMATION CONCERNING THE
16 FORMER STUDENTS, INCLUDING THEIR HOUSING CIRCUMSTANCES,
17 CAREERS, AND SOCIAL ACTIVITIES OR ASSOCIATIONS. THE ADMINISTERING
18 ENTITY SHALL RETAIN THE SURVEYS AND EVALUATE SUCCESSES THAT ARE
19 A CONSEQUENCE OF INCLUSIVE HIGHER EDUCATION PROGRAMS AND
20 IDENTIFY OPPORTUNITIES TO IMPROVE OUTCOMES FOR CURRENT AND
21 FUTURE STUDENTS.

22 (3) ON OR BEFORE OCTOBER 1, 2024, AND ON OR BEFORE OCTOBER
23 1 EACH YEAR THEREAFTER WHEN GRANTS ARE AWARDED, THE
24 ADMINISTERING ENTITY SHALL SUBMIT A REPORT TO THE DEPARTMENT. AT
25 A MINIMUM, THE REPORT MUST INCLUDE:

26 (a) A SUMMARY OF THE FINDINGS FROM THE EVALUATION
27 PERFORMED PURSUANT TO SUBSECTIONS (1) AND (2) OF THIS SECTION;

1 (b) AN ANALYSIS OF THE FINDINGS FROM THE EVALUATIONS
2 PERFORMED PURSUANT TO SUBSECTIONS (1) AND (2) OF THIS SECTION,
3 INCLUDING COMPARISONS BETWEEN THE CURRENT YEAR'S AND PREVIOUS
4 YEARS' FINDINGS TO EVALUATE THE LONG-TERM IMPACTS OF INCLUSIVE
5 HIGHER EDUCATION FOR CURRENT STUDENTS PARTICIPATING IN AN
6 INCLUSIVE HIGHER EDUCATION PROGRAM AND FORMER STUDENTS WHO
7 PARTICIPATED IN A PROGRAM; AND

8 (c) A DESCRIPTION OF EXPENSES MADE WITH THE GRANT MONEY.

9 (4) ON OR BEFORE DECEMBER 31, 2024, AND ON OR BEFORE
10 DECEMBER 31 EACH YEAR THEREAFTER WHEN GRANTS ARE AWARDED,
11 THE DEPARTMENT SHALL SUBMIT THE ADMINISTERING ENTITY'S REPORT TO
12 THE EDUCATION COMMITTEES OF THE SENATE AND THE HOUSE OF
13 REPRESENTATIVES, OR ANY SUCCESSOR COMMITTEES, REGARDING THE
14 GRANT PROGRAM.

15 (5) NOTWITHSTANDING SECTION 24-1-136 (11)(a)(I), THE
16 REPORTING REQUIREMENTS SET FORTH IN THIS SECTION CONTINUE
17 INDEFINITELY.

18 **23-79-108. Inclusive higher education opportunities cash fund**
19 **- created - funding.** (1) THE INCLUSIVE HIGHER EDUCATION
20 OPPORTUNITIES CASH FUND IS CREATED IN THE STATE TREASURY. THE
21 CASH FUND CONSISTS OF MONEY THAT THE GENERAL ASSEMBLY
22 APPROPRIATES OR TRANSFERS TO THE CASH FUND.

23 (2) FOR THE 2022-23, 2023-24, 2024-25, 2025-26, AND 2026-27
24 STATE FISCAL YEARS, THE GENERAL ASSEMBLY SHALL APPROPRIATE FOUR
25 HUNDRED FIFTY THOUSAND DOLLARS IN EACH STATE FISCAL YEAR TO THE
26 CASH FUND FOR THE PURPOSES OF THIS ARTICLE 79.

27 (3) THE STATE TREASURER SHALL CREDIT ALL INTEREST AND

1 INCOME DERIVED FROM THE DEPOSIT AND INVESTMENT OF MONEY IN THE
2 CASH FUND TO THE CASH FUND.

3 (4) THE STATE TREASURER SHALL CREDIT ANY UNEXPENDED AND
4 UNENCUMBERED MONEY REMAINING IN THE CASH FUND AT THE END OF A
5 STATE FISCAL YEAR TO THE GENERAL FUND.

6 (5) MONEY IN THE CASH FUND IS CONTINUOUSLY APPROPRIATED
7 TO THE DEPARTMENT FOR THE PURPOSES OF THIS ARTICLE 79.

8 **SECTION 2. Act subject to petition - effective date.** This act
9 takes effect at 12:01 a.m. on the day following the expiration of the
10 ninety-day period after final adjournment of the general assembly; except
11 that, if a referendum petition is filed pursuant to section 1 (3) of article V
12 of the state constitution against this act or an item, section, or part of this
13 act within such period, then the act, item, section, or part will not take
14 effect unless approved by the people at the general election to be held in
15 November 2022 and, in such case, will take effect on the date of the
16 official declaration of the vote thereon by the governor.