

## CHAPTER 188

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**EDUCATION - PUBLIC SCHOOLS**


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## SENATE BILL 15-138

BY SENATOR(S) Donovan, Garcia, Hill, Kerr, Merrifield, Aguilar, Baumgardner, Carroll, Cooke, Crowder, Grantham, Guzman, Heath, Hodge, Holbert, Jahn, Johnston, Jones, Kefalas, Lundberg, Marble, Martinez Humenik, Neville T., Newell, Roberts, Scheffel, Scott, Sonnenberg, Steadman, Todd, Ulibarri, Woods, Cadman;  
 also REPRESENTATIVE(S) Wilson, Arndt, Becker K., Buckner, Carver, Duran, Esgar, Hamner, Kraft-Tharp, Lontine, Mitsch Bush, Pabon, Pettersen, Priola, Rosenthal, Roupe, Ryden, Salazar, Tyler, Vigil, Williams, Winter, Young.

## AN ACT

**CONCERNING FUNDING FOR THE ACCELERATING STUDENTS THROUGH CONCURRENT ENROLLMENT PROGRAM.**

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

**SECTION 1.** In Colorado Revised Statutes, 22-35-108, **amend** (3) as follows:

**22-35-108. Accelerating students through concurrent enrollment program - objectives - selection criteria - rules.** (3) (a) The local education provider of a qualified student who is designated by the department as an ASCENT program participant may include the student in the district's funded pupil count, or, in the case of a student enrolled in an institute charter school, in the school's accounting district, as provided in section 22-54-103 (7).

(b) A LOCAL EDUCATION PROVIDER THAT RECEIVES ASCENT PROGRAM FUNDING, AS DESCRIBED IN SECTION 22-54-104 (4.7), IN A BUDGET YEAR MAY EXPEND THE ASCENT PROGRAM FUNDING ON BEHALF OF ASCENT PROGRAM PARTICIPANTS WHO ENROLL IN AN INSTITUTION OF HIGHER EDUCATION DURING THAT BUDGET YEAR AND ON BEHALF OF ASCENT PROGRAM PARTICIPANTS WHO, BY MAY 1 OF THAT BUDGET YEAR, ARE ADMITTED TO AN INSTITUTION OF HIGHER EDUCATION TO PARTICIPATE IN THE ASCENT PROGRAM DURING THE NEXT BUDGET YEAR.

(c) THE LOCAL EDUCATION PROVIDER SHALL CERTIFY TO THE DEPARTMENT BY MAY 10 OF EACH YEAR THE LIST OF ASCENT PROGRAM PARTICIPANTS WHO ARE ADMITTED TO AN INSTITUTION OF HIGHER EDUCATION TO PARTICIPATE IN THE ASCENT PROGRAM DURING THE NEXT BUDGET YEAR. AT THE END OF THE BUDGET

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*Capital letters indicate new material added to existing statutes; dashes through words indicate deletions from existing statutes and such material not part of act.*

YEAR IN WHICH THE LOCAL EDUCATION PROVIDER RECEIVES THE ASCENT PROGRAM FUNDING, THE LOCAL EDUCATION PROVIDER SHALL REMIT TO THE DEPARTMENT ANY REMAINING AMOUNT OF THE ASCENT PROGRAM FUNDING THAT THE LOCAL EDUCATION PROVIDER IS NOT USING FOR AN ASCENT PROGRAM PARTICIPANT WHO IS INCLUDED ON THE CERTIFIED LIST.

**SECTION 2.** In Colorado Revised Statutes, 22-54-114, **amend** (4) (a) as follows:

**22-54-114. State public school fund.** (4) (a) For the 1997-98 fiscal year and fiscal years thereafter, the net amount recovered by the department of education during the applicable fiscal year, pursuant to school district and institute charter school audits, as overpayments made to school districts and institute charter schools, AND ANY AMOUNT REMITTED BY A SCHOOL DISTRICT OR INSTITUTE CHARTER SCHOOL PURSUANT TO SECTION 22-35-108 (3) (c), that would otherwise be transmitted to the state treasurer for deposit in the general fund shall instead be transmitted to the state treasurer for deposit in the state public school fund. The amount shall be available for appropriation to the department of education in subsequent fiscal years.

**SECTION 3. Safety clause.** The general assembly hereby finds, determines, and declares that this act is necessary for the immediate preservation of the public peace, health, and safety.

Approved: May 13, 2015