

CHAPTER 195

EDUCATION - POSTSECONDARY

HOUSE BILL 15-1270

BY REPRESENTATIVE(S) Duran and Foote, Arndt, Buckner, Danielson, Esgar, Fields, Ginal, Lebsock, Lee, McCann, Mitsch Bush, Rosenthal, Tyler, Young, Singer, Becker K., Garnett, Hamner, Kraft-Tharp, Melton, Moreno, Pettersen, Primavera, Ryden, Salazar, Vigil, Williams, Winter, Hullinghorst, Coram, Court, Lontine, Pabon; also SENATOR(S) Todd and Woods, Carroll, Garcia, Heath, Hill, Jahn, Johnston, Kefalas, Kerr, Martinez Humenik, Merrifield, Newell, Scheffel.

AN ACT

CONCERNING AUTHORIZATION FOR LOCAL EDUCATION PROVIDERS TO OPERATE PATHWAYS IN TECHNOLOGY EARLY COLLEGE HIGH SCHOOLS, AND, IN CONNECTION THEREWITH, MAKING AN APPROPRIATION.

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

SECTION 1. In Colorado Revised Statutes, **add** article 35.3 to title 22 as follows:

ARTICLE 35.3
Pathways in Technology Early College High Schools

22-35.3-101. Legislative declaration. (1) THE GENERAL ASSEMBLY FINDS THAT:

(a) THE PATHWAYS IN TECHNOLOGY EARLY COLLEGE HIGH SCHOOL MODEL (P-TECH) ALLOWS STUDENTS TO GRADUATE FROM HIGH SCHOOL WITH A HIGH SCHOOL DIPLOMA AND AN INDUSTRY-RECOGNIZED ASSOCIATE DEGREE. STUDENTS IN A P-TECH SCHOOL MAY ALSO EARN PRE-APPRENTICESHIP CERTIFICATES AND OTHER INDUSTRY-RECOGNIZED CERTIFICATES IN ADDITION TO AN ASSOCIATE DEGREE;

(b) THE SUCCESS OF P-TECH SCHOOLS DEPENDS UPON CLOSE COLLABORATION BETWEEN A LOCAL EDUCATION PROVIDER, A COMMUNITY COLLEGE, AND ONE OR MORE LOCAL HIGH-GROWTH INDUSTRY EMPLOYERS;

(c) THE P-TECH SCHOOL MODEL HAS BEEN RECENTLY ESTABLISHED IN OTHER STATES, INCLUDING NEW YORK, CONNECTICUT, AND ILLINOIS, AND IS SHOWING

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

PROMISE; AND

(d) GRADUATING MORE HIGH SCHOOL STUDENTS WITH CAREER-READY SKILLS TO MEET COLORADO'S WORKFORCE NEEDS IS PART OF THE STATE'S EDUCATION AND ECONOMIC DEVELOPMENT GOALS.

(2) THE GENERAL ASSEMBLY THEREFORE DECLARES THAT ESTABLISHING A LIMITED NUMBER OF P-TECH SCHOOLS IN THE STATE WILL BENEFIT STUDENTS AND INDUSTRY IN COLORADO.

22-35.3-102. Definitions. AS USED IN THIS ARTICLE, UNLESS THE CONTEXT OTHERWISE REQUIRES:

(1) "ACCOUNTING DISTRICT" HAS THE SAME MEANING AS PROVIDED IN SECTION 22-54-103 (1.3).

(2) "CERTIFIED CENTER OF LEARNING" MEANS AN EMPLOYER THAT ENTERS INTO AN AGREEMENT WITH A P-TECH SCHOOL AND UNDERGOES A THIRD-PARTY CERTIFICATION PROCESS PROVING THAT THEY ARE QUALIFIED TO ASSIST THE LOCAL EDUCATION PROVIDER IN CREATING AND PROVIDING WORKPLACE EDUCATION EXPERIENCES AND TRAINING, WHICH EXPERIENCES AND TRAINING MAY INCLUDE BUT NEED NOT BE LIMITED TO JOB SHADOWING, MENTORING, INTERNSHIPS, AND APPRENTICESHIPS.

(3) "COMMISSIONER" MEANS THE OFFICE OF THE COMMISSIONER OF EDUCATION CREATED AND EXISTING PURSUANT TO SECTION 1 OF ARTICLE IX OF THE STATE CONSTITUTION.

(4) "COMMUNITY COLLEGE" MEANS A COMMUNITY COLLEGE GOVERNED BY THE STATE BOARD FOR COMMUNITY COLLEGES AND OCCUPATIONAL EDUCATION OR A STATE-SUPPORTED INSTITUTION OF HIGHER EDUCATION OR LOCAL DISTRICT JUNIOR COLLEGE THAT IS AUTHORIZED TO GRANT ASSOCIATE DEGREES.

(5) "DEPARTMENT" MEANS THE DEPARTMENT OF EDUCATION CREATED AND EXISTING PURSUANT TO SECTION 24-1-115, C.R.S.

(6) "DISTRICT EXTENDED HIGH SCHOOL PUPIL ENROLLMENT" HAS THE SAME MEANING AS PROVIDED IN SECTION 22-54-103 (5.2).

(7) "EXECUTIVE DIRECTOR" MEANS THE OFFICE OF THE EXECUTIVE DIRECTOR OF THE DEPARTMENT OF HIGHER EDUCATION CREATED AND EXISTING PURSUANT TO SECTION 24-1-114, C.R.S.

(8) "FUNDED PUPIL COUNT" HAS THE SAME MEANING AS PROVIDED IN SECTION 22-54-103 (7).

(9) "LOCAL EDUCATION PROVIDER" MEANS A SCHOOL DISTRICT, A BOARD OF COOPERATIVE SERVICES THAT OPERATES A HIGH SCHOOL, THE STATE CHARTER SCHOOL INSTITUTE ESTABLISHED IN SECTION 22-30.5-503, OR A CHARTER SCHOOL AUTHORIZED PURSUANT TO PART 1 OR PART 5 OF ARTICLE 30.5 OF THIS TITLE.

(10) "P-TECH SCHOOL" MEANS A PATHWAYS IN TECHNOLOGY EARLY COLLEGE HIGH SCHOOL THAT IS APPROVED PURSUANT TO THIS ARTICLE.

(11) "PUPIL ENROLLMENT" HAS THE SAME MEANING AS PROVIDED IN SECTION 22-54-103 (10).

22-35.3-103. Pathways in technology early college high schools - design - requirements - approval. (1) A PATHWAYS IN TECHNOLOGY EARLY COLLEGE HIGH SCHOOL, OR P-TECH SCHOOL, IS A PUBLIC SCHOOL THAT INCLUDES GRADES NINE THROUGH FOURTEEN AND IS DESIGNED TO PREPARE STUDENTS FOR HIGH-POTENTIAL CAREERS IN INDUSTRY BY ENABLING THEM TO GRADUATE WITH A HIGH SCHOOL DIPLOMA AND AN INDUSTRY-RECOGNIZED ASSOCIATE DEGREE. STUDENTS IN A P-TECH SCHOOL MAY ALSO EARN PRE-APPRENTICESHIP CERTIFICATES AND OTHER INDUSTRY-RECOGNIZED CERTIFICATES IN ADDITION TO AN ASSOCIATE DEGREE. A P-TECH SCHOOL IS OPERATED AS A COLLABORATIVE EFFORT BY A LOCAL EDUCATION PROVIDER, A COMMUNITY COLLEGE, AND ONE OR MORE LOCAL HIGH-GROWTH INDUSTRY EMPLOYERS. THROUGHOUT GRADES NINE THROUGH FOURTEEN, A P-TECH SCHOOL INTEGRATES HIGH SCHOOL AND COLLEGE COURSES AND CERTIFICATE PROGRAMS THAT ARE INFORMED BY CURRENT AND PROJECTED INDUSTRY STANDARDS AND FOCUSED ON SCIENCE, TECHNOLOGY, ENGINEERING, AND MATHEMATICS WITH MENTORING, JOB SHADOWING, INTERNSHIPS, PRE-APPRENTICESHIP TRAINING, AND OTHER WORKPLACE EDUCATION EXPERIENCES.

(2) A P-TECH SCHOOL TO BE OPERATED BY A LOCAL EDUCATION PROVIDER MUST BE JOINTLY APPROVED BY THE COMMISSIONER OF EDUCATION AND THE EXECUTIVE DIRECTOR OF THE DEPARTMENT OF HIGHER EDUCATION. THE COMMISSIONER AND THE EXECUTIVE DIRECTOR SHALL JOINTLY ESTABLISH TIME LINES AND PROCEDURES BY WHICH A LOCAL EDUCATION PROVIDER MAY APPLY TO OPERATE A P-TECH SCHOOL AND SHALL DEVELOP A MODEL P-TECH AGREEMENT TEMPLATE THAT MAY BE USED BY AN APPLICANT. THE APPLICATION MUST INCLUDE:

(a) THE AGREEMENT THAT THE LOCAL EDUCATION PROVIDER, A COMMUNITY COLLEGE, AND ONE OR MORE EMPLOYERS ENTER INTO TO OPERATE THE P-TECH SCHOOL, WHICH MUST ADDRESS:

(I) THE RESPONSIBILITIES OF THE LOCAL EDUCATION PROVIDER AND THE COMMUNITY COLLEGE TO PROVIDE, AT A MINIMUM, COURSE WORK, COUNSELING, AND STUDENT SUPPORT SERVICES, AS WELL AS PROVISIONS RELATING TO INSTRUCTOR QUALIFICATIONS;

(II) THE RESPONSIBILITIES OF THE EMPLOYER TO PROVIDE WORKPLACE EDUCATION AND EXPERIENCES AND TO CONSULT WITH THE LOCAL EDUCATION PROVIDER ON COURSE DESIGN, AS REQUESTED, WHETHER THE EMPLOYER IS A CERTIFIED CENTER OF LEARNING, WITH PREFERENCE GIVEN TO SUCH EMPLOYERS, AND ANY FUNDING THAT THE EMPLOYER MAY PROVIDE FOR THE P-TECH SCHOOL PROGRAM;

(III) THE PROCEDURE FOR COMMUNICATION AND SHARED DECISION-MAKING BY THE LOCAL EDUCATION PROVIDER, COMMUNITY COLLEGE, AND EMPLOYER REGARDING SCHOOL OPERATIONS; AND

(IV) THE ALLOCATION OF SUPPORT, INCLUDING BUT NOT LIMITED TO FUNDING, INTERNSHIPS, MENTORSHIPS, POTENTIAL JOB OPPORTUNITIES, AND OTHER RELATED RESOURCES, BETWEEN THE LOCAL EDUCATION PROVIDER, THE EMPLOYER, AND THE COMMUNITY COLLEGE;

(b) THE OPERATIONAL MODEL FOR THE P-TECH SCHOOL, INCLUDING BUT NOT LIMITED TO CURRICULA, INSTRUCTIONAL PRACTICES, FACULTY ROLES, STUDENT SUPPORT STRUCTURES, CLASS SCHEDULES, EXPERIENTIAL LEARNING OPPORTUNITIES, AND THE ASSOCIATE DEGREES THAT STUDENTS MAY ATTAIN THROUGH THE P-TECH SCHOOL;

(c) THE ESTIMATED NUMBER OF STUDENTS THAT THE P-TECH SCHOOL WILL ENROLL WHEN OPERATING AT FULL CAPACITY AND THE PLAN FOR SELECTING STUDENTS TO ENROLL IN THE P-TECH SCHOOL, WHICH MUST BE DESIGNED IN A WAY THAT ENCOURAGES THE ENROLLMENT OF A STUDENT BODY THAT IS SOCIO-ECONOMICALLY AND RACIALLY DIVERSE AND THAT INCLUDES FIRST-GENERATION COLLEGE STUDENTS, ENGLISH LANGUAGE LEARNERS, AND STUDENTS WITH DISABILITIES;

(d) IF THE APPLYING LOCAL EDUCATION PROVIDER IS A CHARTER SCHOOL, WRITTEN CONFIRMATION THAT THE CHARTER SCHOOL'S AUTHORIZER AGREES TO AMEND THE CHARTER CONTRACT TO ALLOW THE CHARTER SCHOOL TO OPERATE AS A P-TECH SCHOOL; AND

(e) ANY ADDITIONAL INFORMATION THAT THE COMMISSIONER AND THE EXECUTIVE DIRECTOR MAY REQUIRE.

(3) THE COMMISSIONER AND THE EXECUTIVE DIRECTOR SHALL REVIEW EACH APPLICATION RECEIVED AND JOINTLY APPROVE LOCAL EDUCATION PROVIDERS TO OPERATE A LIMITED NUMBER OF P-TECH SCHOOLS WITHIN THE STATE. THE COMMISSIONER AND THE EXECUTIVE DIRECTOR SHALL BASE THEIR SELECTIONS ON THE QUALITY OF THE PROPOSED DESIGN OF THE P-TECH SCHOOL AND THE DEGREE TO WHICH THE AGREEMENT OF THE LOCAL EDUCATION PROVIDER, COMMUNITY COLLEGE, AND EMPLOYER IS COLLABORATIVE AND REQUIRES FULL PARTICIPATION BY EACH PARTY. ONCE AN APPLICATION IS APPROVED, THE LOCAL EDUCATION PROVIDER SHALL HAVE UP TO ONE FULL ACADEMIC YEAR TO IMPLEMENT THE P-TECH PROGRAM. IT IS THE INTENT OF THE GENERAL ASSEMBLY THAT ONE OR MORE P-TECH SCHOOLS BEGIN OPERATING BY THE 2016-17 SCHOOL YEAR.

(4) A P-TECH SCHOOL IS SUBJECT TO THE STATE ASSESSMENT REQUIREMENTS SPECIFIED IN SECTIONS 22-7-409 AND 22-7-1006 AND THE ACCOUNTABILITY REQUIREMENTS SPECIFIED IN ARTICLE 11 OF THIS TITLE. IN ADDITION, THE COMMISSIONER AND THE EXECUTIVE DIRECTOR MAY ESTABLISH INDICATORS FOR MEASURING THE PERFORMANCE OF EACH P-TECH SCHOOL, WHICH INDICATORS MAY INCLUDE THE ABILITY OF STUDENTS WHO GRADUATE FROM A P-TECH SCHOOL TO OBTAIN EMPLOYMENT IN THE FIELD OR TO PURSUE ADDITIONAL POSTSECONDARY EDUCATION IN THE FIELD, AS WELL AS ANY RELEVANT PERFORMANCE INDICATORS ESTABLISHED FOR THE CONCURRENT ENROLLMENT AND ASCENT PROGRAMS.

22-35.3-104. P-tech schools - funding. (1) (a) TO CALCULATE DISTRICT TOTAL PROGRAM, PURSUANT TO SECTION 22-54-104, A SCHOOL DISTRICT THAT IS APPROVED

TO OPERATE A P-TECH SCHOOL PURSUANT TO SECTION 22-35.3-103, INCLUDING A P-TECH SCHOOL THAT IS A DISTRICT CHARTER SCHOOL, MAY INCLUDE THE STUDENTS WHO ARE ENROLLED IN GRADES NINE THROUGH TWELVE IN THE P-TECH SCHOOL IN THE SCHOOL DISTRICT'S PUPIL ENROLLMENT, AS DEFINED IN SECTION 22-54-103 (10), AND MAY INCLUDE THE STUDENTS WHO ARE ENROLLED IN GRADES THIRTEEN AND FOURTEEN IN THE P-TECH SCHOOL IN THE SCHOOL DISTRICT'S DISTRICT EXTENDED HIGH SCHOOL PUPIL ENROLLMENT.

(b) IF AN INSTITUTE CHARTER SCHOOL IS APPROVED TO OPERATE A P-TECH SCHOOL PURSUANT TO SECTION 22-35.3-103, THE DEPARTMENT SHALL INCLUDE THE STUDENTS WHO ARE ENROLLED IN GRADES NINE THROUGH TWELVE IN THE P-TECH SCHOOL IN THE FUNDED PUPIL COUNT OF THE INSTITUTE CHARTER SCHOOL'S ACCOUNTING DISTRICT AND SHALL INCLUDE THE STUDENTS WHO ARE ENROLLED IN GRADES THIRTEEN AND FOURTEEN IN THE P-TECH SCHOOL IN THE DISTRICT EXTENDED HIGH SCHOOL PUPIL ENROLLMENT OF THE INSTITUTE CHARTER SCHOOL'S ACCOUNTING DISTRICT.

(2) A STUDENT WHO IS ENROLLED IN A P-TECH SCHOOL THAT IS APPROVED PURSUANT TO SECTION 22-35.3-103 AND WHO IS SIMULTANEOUSLY ENROLLED IN ONE OR MORE POSTSECONDARY COURSES, INCLUDING ACADEMIC OR CAREER AND TECHNICAL EDUCATION COURSES, AT A COMMUNITY COLLEGE AS PART OF THE P-TECH PROGRAM, IS ELIGIBLE TO RECEIVE A STIPEND FROM THE COLLEGE OPPORTUNITY FUND PURSUANT TO PART 2 OF ARTICLE 18 OF TITLE 23, C.R.S., SO LONG AS THE INSTITUTION THE STUDENT ATTENDS PARTICIPATES IN THE COLLEGE OPPORTUNITY FUND PROGRAM PURSUANT TO SECTION 23-18-202, C.R.S. THE STIPEND IS PAYABLE TO THE COMMUNITY COLLEGE THAT IS A PARTNER IN THE APPROVED P-TECH SCHOOL.

22-35.3-105. Notice to revisor - repeal of article. (1) THE COMMISSIONER OF EDUCATION SHALL NOTIFY THE REVISOR OF STATUTES IN WRITING IF THE COMMISSIONER OF EDUCATION AND THE EXECUTIVE DIRECTOR OF THE DEPARTMENT OF HIGHER EDUCATION HAVE JOINTLY APPROVED A LOCAL EDUCATION PROVIDER'S APPLICATION FOR A P-TECH SCHOOL BY JANUARY 1, 2017.

(2) THIS ARTICLE IS REPEALED, EFFECTIVE JULY 1, 2017, IF THE REVISOR OF STATUTES DOES NOT RECEIVE A NOTICE FROM THE COMMISSIONER OF EDUCATION PURSUANT TO SUBSECTION (1) OF THIS SECTION.

SECTION 2. In Colorado Revised Statutes, 22-54-103, **amend** (5.2), (7) (e) (I) introductory portion, and (10) (e.5); and **add** (9.7) as follows:

22-54-103. Definitions. As used in this article, unless the context otherwise requires:

(5.2) "District ~~ASCENT program~~ EXTENDED HIGH SCHOOL pupil enrollment" means the number of pupils, on the pupil enrollment count day within the applicable budget year, who are concurrently enrolled in a postsecondary course, including an academic course or a career and technical education course, as a participant in the ASCENT program AND THE NUMBER OF PUPILS, ON THE PUPIL ENROLLMENT COUNT DAY WITHIN THE APPLICABLE BUDGET YEAR, WHO ARE ENROLLED IN GRADE THIRTEEN OR FOURTEEN IN A P-TECH SCHOOL. A PUPIL ENROLLED IN A P-TECH

SCHOOL PURSUANT TO ARTICLE 35.3 OF THIS TITLE SHALL BE INCLUDED IN THE DISTRICT EXTENDED HIGH SCHOOL PUPIL ENROLLMENT AS A FULL-TIME STUDENT. An ASCENT program participant who is enrolled in at least twelve credit hours of postsecondary courses, including academic courses and career and technical education courses, as of the pupil enrollment count day of the applicable budget year shall be included in the district ~~ASCENT program~~ EXTENDED HIGH SCHOOL pupil enrollment as a full-time pupil. An ASCENT program participant who is enrolled in less than twelve credit hours of postsecondary courses, including academic courses and career and technical education courses, as of the pupil enrollment count day of the applicable budget year shall be included in the district ~~ASCENT program~~ EXTENDED HIGH SCHOOL pupil enrollment as a part-time pupil.

(7) "Funded pupil count" means:

(e) (I) For budget years commencing on and after July 1, 2009, the district's on-line pupil enrollment for the applicable budget year plus the district's preschool program enrollment for the applicable budget year plus the district's supplemental kindergarten enrollment for the applicable budget year plus the district's ~~ASCENT program~~ EXTENDED HIGH SCHOOL pupil enrollment for the applicable budget year, plus the greater of:

(9.7) "P-TECH SCHOOL" MEANS A PATHWAYS IN TECHNOLOGY EARLY COLLEGE HIGH SCHOOL THAT IS APPROVED PURSUANT TO ARTICLE 35.3 OF THIS TITLE.

(10) (e.5) A pupil who is enrolled as less than a full-time student, other than a student described in paragraph (b) or (d) of this subsection (10) OR A STUDENT ENROLLED IN A P-TECH SCHOOL PURSUANT TO ARTICLE 35.3 OF THIS TITLE, shall be counted in accordance with rules promulgated by the state board for students who are enrolled as less than full-time students.

SECTION 3. In Colorado Revised Statutes, 22-54-104, **amend** (2) (a) (IX), (3.5) (d) (III), (4.7) (a), (4.7) (c), and (5) (g) (VI) (C) as follows:

22-54-104. District total program - definitions. (2) (a) (IX) Except as otherwise provided in this subsection (2), paragraph (g) of subsection (5) or subsection (6) of this section, or section 22-54-104.3, a district's total program for the 2009-10 budget year and budget years thereafter shall be the greater of the following:

(A) (District per pupil funding x (District funded pupil count - District on-line pupil enrollment - District ~~ASCENT program~~ EXTENDED HIGH SCHOOL pupil enrollment)) + District at-risk funding + District on-line funding + District ~~ASCENT program~~ EXTENDED HIGH SCHOOL funding; or

(B) (Minimum per pupil funding x (District funded pupil count - District on-line pupil enrollment - District ~~ASCENT program~~ EXTENDED HIGH SCHOOL pupil enrollment)) + District on-line funding + District ~~ASCENT program~~ EXTENDED HIGH SCHOOL funding.

(3.5) Minimum per pupil funding shall be:

(d) (III) (A) As used in this subsection (3.5), for the 2009-10 budget year and budget years thereafter, "minimum per pupil funding base" means the total of the calculation specified in sub-subparagraph (B) of this subparagraph (III) for all districts for the budget year divided by the statewide funded pupil count minus the statewide on-line pupil enrollment and minus the statewide ~~ASCENT program~~ EXTENDED HIGH SCHOOL pupil enrollment, for said budget year.

(B) The following calculation shall be used for the purpose of determining the minimum per pupil funding base pursuant to this subparagraph (III):

(District per pupil funding x (District funded pupil count - District on-line pupil enrollment - District ~~ASCENT program~~ EXTENDED HIGH SCHOOL pupil enrollment)) + District at-risk funding.

(4.7) (a) For the 2009-10 budget year and budget years thereafter, a district's ~~ASCENT program~~ EXTENDED HIGH SCHOOL funding shall be determined in accordance with the following formula:

(District ~~ASCENT program~~ EXTENDED HIGH SCHOOL pupil enrollment x \$6,135, or an amount determined pursuant to paragraph (b) of this subsection (4.7)).

(c) In any budget year in which the provisions of paragraph (g) of subsection (5) of this section apply, the department of education shall calculate a district's reduction amount for ~~ASCENT program~~ EXTENDED HIGH SCHOOL funding by multiplying the negative factor calculated for the applicable budget year pursuant to sub-subparagraph (A) of subparagraph (II) of paragraph (g) of subsection (5) of this section by the amount of the district's ~~ASCENT program~~ EXTENDED HIGH SCHOOL funding calculated pursuant to paragraph (b) of this subsection (4.7) for the applicable budget year. A district's ~~ASCENT program~~ EXTENDED HIGH SCHOOL funding for the applicable budget year shall be the greater of:

(I) The district's ~~ASCENT program~~ EXTENDED HIGH SCHOOL funding calculated for the applicable budget year pursuant to paragraph (b) of this subsection (4.7) minus the district's reduction amount calculated for the applicable budget year pursuant to this paragraph (c) for ~~ASCENT program~~ EXTENDED HIGH SCHOOL funding; or

(II) An amount equal to the base per pupil funding amount specified in paragraph (a) of subsection (5) of this section for the applicable budget year multiplied by the district's ~~ASCENT program~~ EXTENDED HIGH SCHOOL pupil enrollment for the applicable budget year.

(5) For purposes of the formulas used in this section:

(g) (VI) For the 2010-11 budget year, two sources of federal moneys, totaling two hundred sixteen million three hundred fifty-eight thousand one hundred sixty-four dollars (\$216,358,164), have been made available to districts and are being allocated to districts by the department of education based on the formulas specified in subsection (2) of this section. Accordingly, the state's share of total program funding for all districts, including the funding for institute charter schools for the 2010-11 budget year, has been reduced by said amount as is reflected in the sum of

total program funding for the 2010-11 budget year specified in sub-subparagraph (A) of subparagraph (I) of this paragraph (g). For the 2010-11 budget year, it is the general assembly's intent that the department of education calculate total program funding for the following purposes as if the state's share of total program funding for the 2010-11 budget year was not reduced as specified in this subparagraph (VI):

(C) A district's ~~ASCENT program~~ EXTENDED HIGH SCHOOL funding pursuant to subsection (4.7) of this section; and

SECTION 4. In Colorado Revised Statutes, 22-54-112, **amend** (2) (a) as follows:

22-54-112. Reports to the state board. (2) (a) On or before November 10 of each year, the secretary of the board of education of each district shall certify to the state board the pupil enrollment, the on-line pupil enrollment, the ~~ASCENT program~~ EXTENDED HIGH SCHOOL pupil enrollment, and the preschool program enrollment of the district taken in the preceding October or previously in November.

SECTION 5. In Colorado Revised Statutes, 23-18-102, **amend** (5) (a) (I); and **add** (5) (a) (I.5) as follows:

23-18-102. Definitions. As used in parts 1 and 2 of this article, unless the context otherwise requires:

(5) (a) "Eligible undergraduate student" means:

(I) A student who is enrolled at a state institution of higher education and who is classified as an in-state student for tuition purposes; ~~or~~

(I.5) A STUDENT WHO IS ENROLLED AT A STATE INSTITUTION OF HIGHER EDUCATION AS PART OF A PATHWAYS IN TECHNOLOGY EARLY COLLEGE HIGH SCHOOL THAT IS APPROVED AS PROVIDED IN ARTICLE 35.3 OF TITLE 22, C.R.S. AND WHO IS CLASSIFIED AS AN IN-STATE STUDENT FOR TUITION PURPOSES; OR

SECTION 6. In Colorado Revised Statutes, 23-18-202, **amend** (2) (b), (5) (c) (III), and (5) (f) as follows:

23-18-202. College opportunity fund - appropriations - payment of stipends - reimbursement - repeal. (2) (b) For the state fiscal year commencing July 1, 2005, and for state fiscal years thereafter, for an eligible undergraduate student attending a state institution of higher education, the specified amount of the stipend per credit hour shall be an amount set annually by the general assembly, which in no case shall exceed the student's total in-state tuition. The value of the per credit hour stipend shall be the same for each eligible undergraduate student, regardless of the state institution of higher education that the student attends. The student shall be responsible for paying the student's share of total in-state tuition, if any. IF THE STUDENT IS ENROLLED IN A PATHWAYS IN TECHNOLOGY EARLY COLLEGE HIGH SCHOOL PURSUANT TO ARTICLE 35.3 OF TITLE 22, C.R.S., THE P-TECH SCHOOL SHALL BE RESPONSIBLE FOR PAYING THE STUDENT'S SHARE OF TOTAL IN-STATE TUITION, IF ANY.

(5)(c)(III) For an eligible undergraduate student who has completed one or more college courses while enrolled in high school pursuant to the "Concurrent Enrollment Programs Act", article 35 of title 22, C.R.S., or while designated by the department of education as an ASCENT program participant pursuant to section 22-35-108, C.R.S., OR WHILE ENROLLED IN A PATHWAYS IN TECHNOLOGY EARLY COLLEGE HIGH SCHOOL PURSUANT TO ARTICLE 35.3 OF TITLE 22, C.R.S., all college-level credit hours earned by the student ~~during such enrollment shall~~ WHILE SO ENROLLED count against the lifetime limitation described in subparagraph (I) of this paragraph (c); except that credit hours earned from enrollment in a basic skills course, as defined in section 23-1-113 (11) (b), shall not count against the lifetime limitation.

(f) Notwithstanding the lifetime-credit-hour limitation established pursuant to paragraph (c) of this subsection (5) and in addition to the provisions of paragraph (e) of this subsection (5), a state institution of higher education may annually grant a one-year waiver of the lifetime-credit-hour limitation for up to five percent of the eligible undergraduate students enrolled in the state institution of higher education. In granting the waivers under this paragraph (f), the state institution of higher education shall, upon request, grant a waiver to an eligible undergraduate student for courses taken pursuant to the "Concurrent Enrollment Programs Act", article 35 of title 22, C.R.S., OR FOR COURSES TAKEN WHILE ENROLLED IN A PATHWAYS IN TECHNOLOGY EARLY COLLEGE HIGH SCHOOL PURSUANT TO ARTICLE 35.3 OF TITLE 22, C.R.S. For any remaining portion of the institution's five percent of eligible undergraduate students who may receive waivers, the institution shall give priority to students who are seeking job retraining.

SECTION 7. In Colorado Revised Statutes, 22-35-108, **amend as amended by Senate Bill 15-138** (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~~ EXTENDED HIGH SCHOOL funding, as described in section 22-54-104 (4.7), in a budget year FOR ASCENT PROGRAM PARTICIPANTS 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 year in which the local education provider receives the ~~ASCENT program~~ EXTENDED HIGH SCHOOL funding FOR ASCENT PROGRAM PARTICIPANTS, 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 8. Appropriation. (1) For the 2015-16 state fiscal year, \$7,232 is appropriated to the department of education. This appropriation is from the general fund and is based on the assumption that the department will require an additional 0.1 FTE. To implement this act, the department may use this appropriation for preschool to postsecondary education alignment.

(2) For the 2015-16 state fiscal year, \$7,232 is appropriated to the department of higher education for use by the Colorado commission on higher education. This appropriation is from the general fund and is based on an assumption that the commission will require an additional 0.1 FTE. To implement this act, the commission may use this appropriation for administration.

SECTION 9. Act subject to petition - effective date. (1) Except as otherwise provided in subsection (2) of this section, 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 5, 2015, if adjournment sine die is on May 6, 2015); 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 2016 and, in such case, will take effect on the date of the official declaration of the vote thereon by the governor.

(2) Section 7 of this act takes effect only if Senate Bill 15-138 becomes law.

Approved: May 18, 2015