

HOUSE COMMITTEE OF REFERENCE AMENDMENT

Committee on Education.

HB22-1390 be amended as follows:

- 1 Amend printed bill, page 17, after line 19 insert:  
2 "SECTION 19. In Colorado Revised Statutes, **amend** 22-35-108  
3 as follows:  
4 **22-35-108. Accelerating students through concurrent**  
5 **enrollment program - objectives - non-tuition expenses - rules.**  
6 (1) (a) There is hereby established the accelerating students through  
7 concurrent enrollment program, ~~Beginning in the 2010-11 school year,~~  
8 ~~the department shall administer the ASCENT program pursuant to the~~  
9 ~~provisions of this section and guidelines established by the board pursuant~~  
10 ~~to subsection (4) of this section.~~ WHICH IS AVAILABLE TO ALL QUALIFIED  
11 STUDENTS WHO ARE DESIGNATED BY THEIR ENROLLING LOCAL EDUCATION  
12 PROVIDERS PURSUANT TO SUBSECTION (2)(a) OF THIS SECTION. The  
13 objectives of the ASCENT program are to:  
14 (I) Increase the percentage of students who participate in  
15 postsecondary education, especially among low-income and traditionally  
16 underserved populations;  
17 (II) Decrease the number of students who do not complete high  
18 school;  
19 (III) Decrease the amount of time that is required for a student to  
20 complete a postsecondary degree or certificate;  
21 (IV) Reduce state expenditures for public education; and  
22 (V) Increase the number of educational pathways available to  
23 students.  
24 (b) Notwithstanding any ~~other~~ provision of this ~~article~~ ARTICLE 35  
25 TO THE CONTRARY, a qualified student who is designated by ~~the~~  
26 ~~department~~ A LOCAL EDUCATION PROVIDER to be an ASCENT program  
27 participant pursuant to subsection (2) of this section may concurrently  
28 enroll in postsecondary courses, including academic courses and career  
29 and technical education courses, in the year directly following the year in  
30 which ~~he or she~~ THE QUALIFIED STUDENT was enrolled in the twelfth  
31 grade of a THE local education provider.  
32 (2) (a) ~~Subject to available appropriations, the department may~~  
33 ~~designate as an ASCENT program participant any qualified student who~~  
34 A LOCAL EDUCATION PROVIDER MAY DESIGNATE A QUALIFIED STUDENT AS  
35 AN ASCENT PROGRAM PARTICIPANT IF THE QUALIFIED STUDENT:  
36 (I) Has completed or is on schedule to complete at least ~~twelve~~  
37 NINE credit hours of postsecondary course work prior to the completion  
38 of ~~his or her~~ THE QUALIFIED STUDENT'S twelfth-grade year;  
39 (II) Is not in need of a developmental education course;  
40 ~~(III) Has been selected for participation in the ASCENT program~~  
41 ~~by his or her high school principal or equivalent school administrator;~~

1           ~~(IV)~~ (III) Has been accepted into a postsecondary degree program  
2 at an institution of higher education; AND  
3           ~~(V) Has satisfied any other selection criteria established by~~  
4 ~~guidelines established by the board pursuant to subsection (4) of this~~  
5 ~~section; and~~  
6           ~~(VI)~~ (IV) Has not been designated AS an ASCENT program  
7 participant in ~~any~~ A prior year.  
8           ~~(b) Repealed.~~  
9           ~~(c) (I) Repealed.~~  
10           ~~(H)~~ (b) EACH LOCAL EDUCATION PROVIDER THAT DESIGNATES  
11 QUALIFIED STUDENTS TO PARTICIPATE IN THE ASCENT PROGRAM SHALL,  
12 AS PROVIDED BY STATE BOARD RULE, REPORT TO THE DEPARTMENT THE  
13 ESTIMATED NUMBER OF ASCENT PROGRAM PARTICIPANTS THAT THE  
14 LOCAL EDUCATION PROVIDER WILL ENROLL FOR THE FOLLOWING SCHOOL  
15 YEAR. The department, as part of its annual budget request to the general  
16 assembly, shall report the ESTIMATED total number of ~~potential~~ ASCENT  
17 program participants for the following school year.  
18           ~~(HH) Repealed.~~  
19           ~~(IV) The department shall not designate a greater number of~~  
20 ~~ASCENT program participants for a school year than the number of~~  
21 ~~participants that the general assembly approves for funding in the annual~~  
22 ~~general appropriation act for the applicable budget year.~~  
23           (3) (a) ~~The local education provider of a qualified student who is~~  
24 ~~designated by the department as an ASCENT program participant may~~  
25 ~~include the student~~ A LOCAL EDUCATION PROVIDER MAY INCLUDE EACH  
26 QUALIFIED STUDENT WHOM THE LOCAL EDUCATION PROVIDER DESIGNATES  
27 TO PARTICIPATE IN THE ASCENT PROGRAM PURSUANT TO THIS SECTION  
28 in the district's funded pupil count, or, in the case of a QUALIFIED student  
29 enrolled in an institute charter school, in the FUNDED PUPIL COUNT OF THE  
30 school's accounting district, as provided in section 22-54-103 (7).  
31           ~~(b) A local education provider that receives extended high school~~  
32 ~~funding, as described in section 22-54-104 (4.7), in a budget year for~~  
33 ~~ASCENT program participants may expend the funding on behalf of~~  
34 ~~ASCENT program participants who enroll in an institution of higher~~  
35 ~~education during that budget year and on behalf of ASCENT program~~  
36 ~~participants who, by May 1 of that budget year, are admitted to an~~  
37 ~~institution of higher education to participate in the ASCENT program~~  
38 ~~during the next budget year.~~  
39           ~~(c) The local education provider shall certify to the department by~~  
40 ~~May 10 of each year the list of ASCENT program participants who are~~  
41 ~~admitted to an institution of higher education to participate in the~~  
42 ~~ASCENT program during the next budget year. At the end of the budget~~  
43 ~~year in which the local education provider receives the extended high~~

1 ~~school funding for ASCENT program participants, the local education~~  
2 ~~provider shall remit to the department any remaining amount of the~~  
3 ~~funding that the local education provider is not using for an ASCENT~~  
4 ~~program participant who is included on the certified list.~~

5 (4) The board shall establish guidelines AS NECESSARY for the  
6 administration of the ASCENT program. ~~including but not limited to~~  
7 ~~selection criteria that the department may use pursuant to subparagraph~~  
8 ~~(V) of paragraph (a) of subsection (2) of this section to designate~~  
9 ~~qualified students as ASCENT program participants.~~

10 (5) For the purposes of part 5 of article 11 of this title 22  
11 concerning school accountability reports, the department shall include  
12 ASCENT program participants in the reporting requirements, regardless  
13 of whether an ASCENT program participant has completed ~~his or her~~ THE  
14 PARTICIPANT'S graduation requirements.

15 ~~(6)(a) Repealed.~~

16 ~~(b)~~ (6) For purposes of applying the provisions of article 11 of this  
17 title 22 concerning school accountability and reporting graduation rates,  
18 a qualified student who is an ASCENT program participant ~~shall~~ MUST  
19 be counted in the enrolling school district's or institute charter school's  
20 graduation rate in the school year in which the student completes the  
21 school district's or institute charter school's minimum high school  
22 graduation requirements. The state board of education shall promulgate  
23 rules for schools and school districts to follow in satisfying state and  
24 federal reporting requirements concerning the enrollment status of  
25 ASCENT program participants. To the extent practicable, the rules must  
26 ensure that schools and school districts are not adversely affected in  
27 calculating and reporting the completion of high school graduation  
28 requirements by qualified students who have been designated by ~~the~~  
29 ~~department~~ LOCAL EDUCATION PROVIDERS as ASCENT program  
30 participants. The rules must include, at a minimum, reporting  
31 requirements relating to:

32 ~~(F)~~ (a) The provisions of article 7 of this title 22 concerning  
33 educational accountability; and

34 ~~(H)~~ (b) The provisions of article 11 of this title 22 concerning  
35 educational accreditation.

36 **SECTION 20.** In Colorado Revised Statutes, 22-35-105, **repeal**  
37 (4) as follows:

38 **22-35-105. Financial provisions - payment of tuition.**

39 (4) ~~(a) Before paying the tuition for a course in which a qualified student~~  
40 ~~concurrently enrolls, the local education provider in which the qualified~~  
41 ~~student is enrolled shall require the qualified student and his or her parent~~  
42 ~~or legal guardian to sign a document requiring repayment of the amount~~  
43 ~~of tuition paid by the local education provider for the course on the~~

1 qualified student's behalf if the qualified student does not complete the  
2 course for any reason without the consent of the principal of the student's  
3 high school.

4 (b) ~~If a qualified student concurrently enrolled in a course for~~  
5 ~~whom a local education provider pays tuition does not complete the~~  
6 ~~course for any reason without the consent of the principal of the high~~  
7 ~~school in which the qualified student is enrolled, the qualified student or~~  
8 ~~the qualified student's parent or legal guardian shall reimburse the local~~  
9 ~~education provider, as provided in the document signed pursuant to~~  
10 ~~paragraph (a) of this subsection (4), for the amount of tuition paid by the~~  
11 ~~local education provider for the course.~~

12 (c) ~~A local education provider may adopt a policy that requires a~~  
13 ~~qualified student and his or her parent or legal guardian to sign a~~  
14 ~~document prior to the student's concurrent enrollment in a course, which~~  
15 ~~document commits the student or his or her parent or legal guardian to~~  
16 ~~reimburse the local education provider for the tuition paid by the local~~  
17 ~~education provider for the course in the event that the student receives a~~  
18 ~~failing grade in the course.~~

19 **SECTION 21.** In Colorado Revised Statutes, 22-35-103, **amend**  
20 (6)(a) as follows:

21 **22-35-103. Definitions.** As used in this article 35, unless the  
22 context otherwise requires:

23 (6) (a) "Concurrent enrollment" means the simultaneous  
24 enrollment of a qualified student in a local education provider and in one  
25 or more postsecondary courses, including academic or career and  
26 technical education courses, which may include course work related to  
27 apprenticeship programs or internship programs, at an institution of  
28 higher education pursuant to the provisions of this article 35, at no tuition  
29 cost to the qualified student or the qualified student's parent or legal  
30 guardian. ~~except as provided in section 22-35-105 (4)(c).~~ As provided in  
31 section 22-35-104 (5) and (6)(b)(II), upon successfully completing a  
32 concurrent enrollment postsecondary course, the qualified student must  
33 receive credit that applies to completion of high school graduation  
34 requirements and postsecondary credit that applies toward completion of  
35 developmental education courses, applies toward earning a certificate or  
36 degree awarded through an approved postsecondary career and technical  
37 education program, is approved by the department of higher education for  
38 transfer from a two-year institution to a four-year institution in  
39 satisfaction of prerequisite courses for a specific major, is approved for  
40 statewide transfer pursuant to section 23-1-125, or is part of a statewide  
41 degree transfer agreement pursuant to section 23-1-108 (7)(a).

42 **SECTION 22.** In Colorado Revised Statutes, 22-35-107, **amend**  
43 (6) introductory portion, (6)(c), and (6)(d) as follows:

1           **22-35-107. Concurrent enrollment advisory board - created -**  
2 **membership - duties - reports - repeal.** (6) The board ~~shall have~~ HAS  
3 the following duties:

4           (c) Making recommendations as necessary to the general  
5 assembly, the state board, and the commission concerning the  
6 improvement or updating of state policies relating to concurrent  
7 enrollment programs, including but not limited to recommendations of  
8 policies that will allow every local education provider in the state to have  
9 adequate resources to enter into at least one cooperative agreement; ~~and~~  
10 ~~recommendations of a funding allocation model, to be approved by the~~  
11 ~~state board on or before July 1, 2013, in the event that the number of~~  
12 ~~qualified students identified by local education providers exceeds~~  
13 ~~available appropriations pursuant to section 22-35-108 (2);~~

14           (d) On or before ~~December 1, 2010~~ DECEMBER 1, 2022,  
15 considering and making recommendations to the state board and the  
16 education committees of the house of representatives and senate, or any  
17 successor committees, regarding the feasibility of a waiver process  
18 whereby a LOCAL EDUCATION PROVIDER, ON BEHALF OF A qualified  
19 student, could apply to the department for a waiver of certain provisions  
20 of section 22-35-108, which waiver would allow the LOCAL EDUCATION  
21 PROVIDER TO DESIGNATE THE student ~~to be designated by the department~~  
22 as an ASCENT program participant in the second year following the year  
23 in which ~~he or she~~ THE QUALIFIED STUDENT was enrolled in the twelfth  
24 grade of a THE local education provider so long as ~~he or she~~ THE  
25 QUALIFYING STUDENT:

26           (I) Was so designated in the year directly following the year in  
27 which ~~he or she~~ THE QUALIFIED STUDENT was enrolled in the twelfth  
28 grade of a THE local education provider;

29           (II) Requires fifteen or fewer credit hours of postsecondary course  
30 work to achieve a postsecondary credential; and

31           (III) Is eligible for free or ~~reduced-cost~~ REDUCED-PRICE lunch  
32 pursuant to the federal "Richard B. Russell National School Lunch Act",  
33 42 U.S.C. sec. 1751 et seq.;

34           **SECTION 23.** In Colorado Revised Statutes, 22-35-112, **amend**  
35 (2)(g) as follows:

36           **22-35-112. Reports.** (2) On or before February 1, 2011, and on  
37 or before February 1 each year thereafter through 2016, and on or before  
38 April 1, 2017, and on or before April 1 each year thereafter, the  
39 department and the department of higher education shall collaborate to  
40 prepare and submit to the education committees of the senate and house  
41 of representatives, or any successor committees, a report concerning the  
42 concurrent enrollment of qualified students in postsecondary courses,  
43 including academic courses and career and technical education courses,

1 and courses related to apprenticeship programs and internship programs.  
2 The report must include, but need not be limited to:

3 (g) ~~FOR THE PREVIOUS SCHOOL YEAR, the total number of qualified~~  
4 ~~students designated by the department as ASCENT or TREP program~~  
5 ~~participants in the previous school year~~ THAT LOCAL EDUCATION  
6 PROVIDERS DESIGNATED AS ASCENT PROGRAM PARTICIPANTS AND THE  
7 TOTAL NUMBER OF QUALIFIED STUDENTS THE DEPARTMENT DESIGNATED  
8 AS PARTICIPANTS IN THE TEACHER RECRUITMENT EDUCATION AND  
9 PREPARATION PROGRAM;

10 **SECTION 24.** In Colorado Revised Statutes, 22-35-113, **amend**  
11 (1)(f) as follows:

12 **22-35-113. Concurrent enrollment - website.** (1) By July 1,  
13 2020, the department of education and the department of higher  
14 education, with advice from the state board, shall make available to the  
15 public a concurrent enrollment website to provide information to students,  
16 parents, and legal guardians concerning concurrent enrollment options  
17 and requirements. The departments must ensure that the website is clear,  
18 easy to navigate, and generally user-friendly. In addition, the website  
19 must at a minimum:

20 (f) Provide information concerning the payment of the costs of  
21 concurrent enrollment, including tuition, which is not chargeable to the  
22 student or the student's parent or legal guardian, ~~except as provided in~~  
23 ~~section 22-35-105 (4)(c)~~, fees and books, which may be chargeable to the  
24 student or the student's parent or legal guardian, and transportation;

25 **SECTION 25.** In Colorado Revised Statutes, 22-54-114, **amend**  
26 (4)(a) as follows:

27 **22-54-114. State public school fund.** (4) (a) For the 1997-98  
28 fiscal year and fiscal years thereafter, the net amount recovered by the  
29 department of education during the applicable fiscal year, pursuant to  
30 school district and institute charter school audits, as overpayments made  
31 to school districts and institute charter schools ~~and any amount remitted~~  
32 ~~by a school district or institute charter school pursuant to section~~  
33 ~~22-35-108 (3)(c)~~; that would otherwise be transmitted to the state  
34 treasurer for deposit in the general fund shall instead be transmitted to the  
35 state treasurer for deposit in the state public school fund. The amount  
36 shall be available for appropriation to the department of education in  
37 subsequent fiscal years.

38 **SECTION 26.** In Colorado Revised Statutes, 23-18-202, **amend**  
39 (5)(c)(III) as follows:

40 **23-18-202. College opportunity fund - appropriations -**  
41 **payment of stipends - reimbursement - report.** (5) (c) (III) For an  
42 eligible undergraduate student who has completed one or more college  
43 courses while enrolled in high school pursuant to the "Concurrent

1 Enrollment Programs Act", article 35 of title 22, or while designated by  
2 ~~the department of education~~ as an ASCENT program participant pursuant  
3 to section 22-35-108 or as a TREP program participant pursuant to  
4 section 22-35-108.5, or while enrolled in a pathways in technology early  
5 college high school pursuant to article 35.3 of title 22, all college-level  
6 credit hours earned by the student while so enrolled count against the  
7 lifetime limitation described in subsection (5)(c)(I) of this section; except  
8 that credit hours earned from enrollment in a developmental education  
9 course, as defined in section 23-1-113 (11)(b), do not count against the  
10 lifetime limitation."

11 Renumber succeeding sections accordingly.

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