

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 (fV) (III) Has been accepted into a postsecondary degree program
2 at an institution of higher education; AND

3 (fV) Has satisfied any other selection criteria established by
4 guidelines established by the board pursuant to subsection (4) of this
5 section; and

6 (fVI) (IV) Has not been designated as an ASCENT program
7 participant in any A prior year.

8 (b) Repealed.

9 (c) (I) Repealed.

10 (fII) (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 (fIII) Repealed.

19 (fIV) 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) ~~Repeated.~~

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

34 (ii) (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:

**22-35-107. Concurrent enrollment advisory board - created -
membership - duties - reports - repeal.** (6) The board shall have HAS
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;

(II) Requires fifteen or fewer credit hours of postsecondary course 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.;

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 Rerumber succeeding sections accordingly.

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