

First Regular Session
Seventy-first General Assembly
STATE OF COLORADO

REVISED

*This Version Includes All Amendments Adopted
on Second Reading in the Second House*

LLS NO. 17-0756.01 Julie Pelegrin x2700

SENATE BILL 17-060

SENATE SPONSORSHIP

Todd, Martinez Humenik

HOUSE SPONSORSHIP

Wilson,

Senate Committees

Education

House Committees

Education
Appropriations

A BILL FOR AN ACT

101 CONCERNING RELOCATION OF THE COLORADO STUDENT LEADERS
102 INSTITUTE FROM THE OFFICE OF THE LIEUTENANT GOVERNOR
103 TO THE DEPARTMENT OF HIGHER EDUCATION, AND, IN
104 CONNECTION THEREWITH, MAKING AND REDUCING AN
105 APPROPRIATION.

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 Colorado student leaders institute currently exists as a pilot program in the lieutenant governor's office. The bill relocates the institute

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

HOUSE
Amended 2nd Reading
March 8, 2017

SENATE
3rd Reading Unamended
February 1, 2017

SENATE
Amended 2nd Reading
January 31, 2017

1 solutions for the pressing issues facing their states; and

2 (IV) Motivated students to remain in their home states for their
3 postsecondary education and careers; and

4 (d) A high percentage of the students who have participated in the
5 summer residential education programs have subsequently enrolled in
6 postsecondary education in their home states and earned a baccalaureate
7 degree in four years.

8 (2) The general assembly finds, therefore, that it is in the best
9 interests of the state to establish the Colorado student leaders institute as
10 a pilot program using the model of summer residential education
11 programs implemented in other states and to appropriate state ~~moneys~~
12 MONEY to ensure the successful operations of the institute for the benefit
13 of Colorado high school students.

14 (3) The general assembly further finds that, for purposes of
15 section 17 of article IX of the state constitution, the Colorado student
16 leaders institute is an accountable program that assists students in meeting
17 state academic standards and may therefore receive funding from the state
18 education fund created in section 17 (4) of article IX of the state
19 constitution.

20 **23-77-102. [Formerly 24-44.3-102] Definitions.** As used in this
21 ~~article~~ ARTICLE 77, unless the context otherwise requires:

22 (1) "Executive board" means the executive board of the Colorado
23 student leaders institute established pursuant to ~~section 24-44.3-104~~
24 SECTION 23-77-104.

25 (2) "Host institution" means the institution of higher education
26 that the DEPARTMENT OF HIGHER EDUCATION CONTRACTS WITH ON BEHALF
27 OF THE executive board ~~contracts with~~ pursuant to ~~section 24-44.3-104~~

1 SECTION 23-77-104 to operate the institute.

2 (3) "Institute" means the Colorado student leaders institute created
3 in ~~section 24-44.3-103~~ SECTION 23-77-103.

4 **23-77-103. [Formerly 24-44.3-103] Colorado student leaders**
5 **institute - created - applications.** (1) There is created in the ~~office of the~~
6 ~~lieutenant governor~~ DEPARTMENT OF HIGHER EDUCATION the Colorado
7 student leaders institute to operate as a pilot program through the summer
8 of 2019. The institute is a competitive residential summer academic
9 program for students who are entering tenth or eleventh grade in the
10 coming fall semester. The institute operates for four weeks each summer
11 during which time students who are accepted to the institute attend
12 college-level classes, lectures, and seminars as well as enrichment
13 activities, including concerts and theatrical productions. Each student who
14 is accepted to the institute is encouraged to donate up to four hundred
15 dollars to the institute to assist in meeting operational costs. Subject to
16 available appropriations, up to one hundred students may annually
17 participate in the institute.

18 (2) (a) The institute shall annually offer classes in at least the
19 following two areas:

20 (I) Science, technology, engineering, arts, and mathematics; and

21 (II) International social studies.

22 (b) The institute shall annually provide enrichment activities for
23 students who participate in the institute, which must include but need not
24 be limited to activities relating to visual expression and music
25 appreciation.

26 (c) In addition to participating in classes and enrichment activities,
27 students who participate in the institute must:

1 (I) Complete a history research project for a competition held
2 during the term of the institute; and

3 (II) Complete a public service practicum that includes a final
4 report of findings and recommendations to the general assembly for
5 legislative action.

6 (3) (a) (I) To apply to participate in the institute:

7 (A) A student who is enrolled in a public school that is not a
8 charter school must be nominated by the superintendent of the school
9 district in which the student is enrolled; and

10 (B) A student who is enrolled in a charter school or in a private
11 school must be nominated by the principal of the school.

12 (II) A student who is participating in a nonpublic home-based
13 educational program, as described in section 22-33-104.5, ~~C.R.S.~~, may
14 apply without having been nominated.

15 (b) To apply to participate in the institute, a student must submit
16 an application to the executive board that is in the form and meets the
17 requirements established by the host institution. If the applying student is
18 enrolled in a public school, the student must submit a copy of his or her
19 individual career and academic plan, as described in section 22-2-136,
20 ~~C.R.S.~~, with the application.

21 (4) The host institution shall award three hours of postsecondary
22 academic credit to each student who successfully completes the institute.
23 The school district or high school in which each student is enrolled is
24 encouraged to apply the academic credit hours that a student receives for
25 completing the institute toward completing the student's high school
26 graduation requirements.

27 **23-77-104. [Formerly 24-44.3-104] Colorado student leaders**

1 **institute - executive board - duties - repeal.** (1) An executive board
2 appointed pursuant to subsection (2) of this section shall oversee the
3 operations of the institute, including contracting THROUGH THE
4 DEPARTMENT OF HIGHER EDUCATION with the host institution and
5 annually selecting students to participate in the institute.

6 (2) (a) The executive board consists of eleven members as
7 follows:

8 (I) The governor, with the consent of the senate, shall appoint
9 eight persons to serve as members of the executive board as follows:

10 (A) Two persons who are employed as educators in high schools
11 in Colorado, one of whom is employed in a rural school district;

12 (B) Two persons who are employed as teaching faculty or
13 administrators in an institution of higher education in Colorado; and

14 (C) Four persons from the community who have interest or
15 experience in education; and

16 (II) The commissioner of education or his or her designee, the
17 executive director of the department of higher education or his or her
18 designee, and the chief executive officer of the host institution or his or
19 her designee shall serve as members of the executive board.

20 (b) The appointed members of the executive board serve two-year
21 terms and may be appointed to successive two-year terms; except that, of
22 the members first appointed, the governor shall select four members to
23 serve one-year terms. The appointed members of the executive board
24 serve at the pleasure of the governor. If a vacancy arises on the executive
25 board, the governor shall appoint a person to fill the vacancy for the
26 remainder of the term.

27 (c) The members of the executive board serve without

1 compensation and without reimbursement for expenses.

2 (d) The governor shall appoint the initial members to the
3 executive board as soon as possible after June 6, 2015. In making
4 appointments, the governor shall attempt to appoint persons who are
5 representative of the gender and racial diversity within the state and who
6 represent areas throughout the state.

7 (e) (I) THE RELOCATION IN 2017 OF THE INSTITUTE FROM THE
8 OFFICE OF THE LIEUTENANT GOVERNOR TO THE DEPARTMENT OF HIGHER
9 EDUCATION DOES NOT REQUIRE REAPPOINTMENT OF THE EXECUTIVE
10 BOARD OR AFFECT THE LENGTH OF TERM OF THE EXECUTIVE BOARD
11 MEMBERS APPOINTED BEFORE 2017.

12 (II) THIS SUBSECTION (2)(e) IS REPEALED, EFFECTIVE JULY 1, 2018.

13 (3) The executive board has the following duties and powers:

14 (a) The executive board shall oversee and direct the operations of
15 the institute, including reviewing the student applications received,
16 annually selecting students to participate in the institute, and annually
17 selecting the faculty and courses for the institute, taking into account the
18 recommendations of the host institution. In reviewing applications and
19 selecting students to participate in the institute, the executive board shall
20 ensure that:

21 (I) At least fifty percent of the students selected to attend the
22 institute each year:

23 (A) Are eligible for free or ~~reduced-cost~~ REDUCED-PRICE lunch
24 pursuant to the federal "Richard B. Russell National School Lunch Act",
25 42 U.S.C. sec. 1751 et seq.; or

26 (B) Would be the first generation in their immediate families to
27 attend an ~~institute~~ INSTITUTION of higher education;

1 (II) The students who are selected reside in areas throughout the
2 state; are representative of the gender, ethnic, racial, and socio-economic
3 diversity of the state; and are representative of the educational program
4 options available throughout the state; and

5 (III) The students who are selected demonstrate, through their
6 individual career and academic plans for students enrolled in public
7 schools, a commitment to continuing in postsecondary education after
8 high school graduation.

9 (b) (I) The DEPARTMENT OF HIGHER EDUCATION, ON BEHALF OF
10 THE executive board, shall issue a request for proposals for a public or
11 private institution of higher education to host the institute. The
12 DEPARTMENT, WORKING WITH THE executive board, shall select and enter
13 into a contract on behalf of the EXECUTIVE BOARD AND THE institute with
14 the public or private institution of higher education in accordance with the
15 applicable provisions of the "Procurement Code", articles 101 to 112 of
16 ~~this title~~ TITLE 24. The executive board DEPARTMENT may enter into a
17 multi-year contract with a public or private institution of higher
18 education, subject to annual review and renewal.

19 (II) The contract to host the institute must require the host
20 institution, at a minimum, to provide the following services in managing
21 the institute:

22 (A) Establish requirements for and create the form of the
23 applications that students submit to participate in the institute and
24 establish the timelines for submitting applications and selecting
25 participants;

26 (B) Review applications received from students and recommend
27 participants to the executive board;

1 (C) Annually solicit educators to participate as faculty for the
2 institute and annually recommend to the executive board faculty and
3 courses for the institute;

4 (D) Provide space for classes, lectures, and seminars; and

5 (E) Provide living and eating facilities for students who
6 participate in the institute.

7 (c) The executive board may appoint an advisory board consisting
8 of persons in the community who are supportive of education to assist the
9 executive board in marketing the institute and soliciting public and
10 private gifts, grants, and donations for the institute. Any persons
11 appointed to an advisory board pursuant to this ~~paragraph (c)~~ SUBSECTION
12 (3)(c) serve without compensation and without reimbursement for
13 expenses.

14 (d) Beginning in the 2017 regular legislative session, the
15 executive board shall annually report to the education committees of the
16 house of representatives and the senate, or any successor committees, the
17 executive board's progress and success in implementing the institute. The
18 executive board must, at a minimum, report the success of the institute as
19 measured by the enrollment and progress of institute alumni in
20 postsecondary educational programs.

21 **23-77-105. [Formerly 24-44.3-105] Colorado student leaders**
22 **institute - funding - cash fund created.** (1) The general assembly shall
23 annually appropriate ~~moneys~~ MONEY to the DEPARTMENT OF HIGHER
24 EDUCATION FOR THE institute to pay the direct and indirect costs that the
25 executive board incurs in operating the institute, including costs relating
26 to the host institution and stipends for the institute faculty members.

27 (2) (a) In addition to the amount appropriated pursuant to

1 subsection (1) of this section, the executive board, with the assistance of
2 an advisory board if appointed, may solicit, accept, and expend public or
3 private gifts, grants, or donations to implement the institute. The
4 executive board shall transmit any ~~moneys~~ MONEY that it receives
5 pursuant to this ~~paragraph (a)~~ SUBSECTION (2)(a) and any ~~moneys~~ MONEY
6 it receives from participating students to the state treasurer. The state
7 treasurer shall deposit the ~~moneys~~ MONEY in the Colorado student leaders
8 institute cash fund, referred to in this section as the "cash fund", which is
9 created in the state treasury. Annual operation of the institute is
10 conditional upon receiving at least forty thousand dollars in gifts, grants,
11 or donations by June 1 of each year.

12 (b) The ~~moneys~~ MONEY in the cash fund ~~are~~ IS continuously
13 appropriated to the executive board for the direct and indirect costs
14 incurred in implementing the institute. The state treasurer may invest as
15 provided by law any ~~moneys~~ MONEY in the cash fund that ~~are~~ IS not
16 expended for the purposes of this ~~article~~ ARTICLE 77. The state treasurer
17 shall credit to the cash fund all interest and income derived from the
18 investment and deposit of ~~moneys~~ MONEY in the cash fund. Any
19 unexpended and unencumbered ~~moneys~~ MONEY remaining in the cash
20 fund at the end of a fiscal year must remain in the cash fund and shall not
21 be credited to another fund; except that the state treasurer shall credit any
22 unexpended and unencumbered ~~moneys~~ MONEY remaining in the fund as
23 of June 30, 2019, to the state education fund created in section 17 (4) of
24 article IX of the state constitution.

25 **23-77-106. [Formerly 24-44.3-106] Repeal of article.** This
26 ~~article~~ ARTICLE 77 is repealed, effective July 1, 2019.

27 **SECTION 2. Repeal of relocated provisions in this act.** In

1 Colorado Revised Statutes, **repeal** article 44.3 of title 24.

2 **SECTION 3. Transfer of appropriation.** (1) For the 2017-18
3 state fiscal year, \$218,825 of the appropriation made in the annual general
4 appropriation act for the state fiscal year from reappropriated funds
5 received from the department of education to the office of the governor
6 for use by the office of the lieutenant governor for the Colorado student
7 leaders institute pilot is transferred to the department of higher education.
8 It is assumed that the department of higher education will require the 1.0
9 FTE related to the office of the lieutenant governor's appropriation.

10 **SECTION 4. Safety clause.** The general assembly hereby finds,
11 determines, and declares that this act is necessary for the immediate
12 preservation of the public peace, health, and safety.