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HB 19-1206

**REVISED
FISCAL NOTE**

(replaces fiscal note dated March 6, 2019)

Drafting Number: LLS 19-0880
Prime Sponsors: Rep. Coleman; Larson
Sen. Bridges; Lundeen

Date: April 1, 2019
Bill Status: Senate Education
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Bill Topic: HIGHER EDUCATION SUPPLEMENTAL ACADEMIC INSTRUCTION

Summary of Fiscal Impact:

| | |
|---|---|
| <input checked="" type="checkbox"/> State Revenue | <input type="checkbox"/> TABOR Refund |
| <input checked="" type="checkbox"/> State Expenditure | <input checked="" type="checkbox"/> School District |
| <input type="checkbox"/> State Transfer | <input type="checkbox"/> Statutory Public Entity |

The bill makes changes to state law regarding supplemental academic instruction and basic skills courses. The bill increases expenditures and potentially impacts tuition revenue for state institutions of higher education, as well as increases state and school district workload.

Appropriation Summary: No appropriation required.

Fiscal Note Status: This fiscal note reflects the reengrossed bill.

Summary of Legislation

The bill makes changes to state law related to supplemental academic instruction and basic skills courses in order to assist students who are not academically ready for introductory college courses. The bill:

- renames "basic skills" courses as "developmental education" courses;
- modifies the definition of supplemental academic instruction to mean peer or instructor study sessions, individualized in-class support, or other supports that pair academic supports with enrollment in a gateway course;
- defines a gateway course as the first college-level course in English or math that is approved for transfer to other state institutions of higher education and is required for the student's program of study; and
- authorizes state institutions of higher education to provide supplemental academic instruction without permission from Colorado Commission on Higher Education (CCHE).

Commission policy. Under current law, the CCHE must adopt, and institutions of higher education must implement, a policy to identify students who need basic skills courses in English and math. The bill requires that the policy cover all additional supports for gateway courses, including developmental education and supplemental academic instruction; prohibit the placement of a student in developmental education based on a single test; and use an evidence-based approach to placing students into English as a second language courses.

Institution requirements. Beginning in FY 2022-23, institutions that offer developmental education may enroll no more than 10 percent of enrolled students in developmental education courses that are prerequisites for a gateway course and may extend the student's time to graduation. By August 1, 2021, institutions must have a plan in place to meet this requirement. CCHE must allow institutions to:

- request a deadline extension for up to two years;
- pilot different approaches to serving students who are not successful in supplemental academic instruction; and
- request a waiver from CCHE policies in order to expand successful pilot approaches.

Current law requires basic skills courses be completed by the time the student completes 30 credit hours. The bill modifies this provision to require that gateway courses in English and math be completed in that time frame. In addition, students may complete a gateway course with supplemental academic instruction in order to pass a course needed to meet institution admission guidelines.

Data and reporting. The bill modifies the data that institutions must submit to the Department of Higher Education (DHE) and that must be included in the department's annual report. The bill also changes the deadline for DHE to submit data to the Colorado Department of Education (CDE) for the purpose of evaluating postsecondary and workforce readiness from February 1 to April 15.

Concurrent enrollment. Current law allows twelfth grade students to enroll in basic skills courses as part of concurrent enrollment. The bill removes this provision and allows high school students to concurrently enroll in gateway courses with additional supplemental academic education. Students in dropout recovery programs offered by community colleges and local education providers may not enroll in developmental education courses.

Background

Current law. Under current law, Adams State University, Western State Colorado University, Colorado Mesa University, the community college system, Aims Community College, and Colorado Mountain College may provide basic skills courses that are prerequisites to the level of work expected at a postsecondary institution. CCHE may authorize any state institution of higher education to offer supplemental academic instruction for students who are enrolled in college-level courses.

Enrollment. Based on the most recent DHE report, approximately 8,270, or 35 percent, of students who graduated from high school and enrolled in a state institution of higher education required developmental education. Of those students, about 4,100 were assessed as needing developmental education, 2,845 were enrolled in a developmental education course, and about 1,300 utilized supplemental academic instruction.

Cost. Based on the most recent DHE report, the total cost of providing developmental education and supplemental academic instruction was \$33.2 million in FY 2016-17. Of that amount, approximately \$20.4 million was paid through tuition revenue and \$12.8 million was paid by the state through the General Fund and the College Opportunity Fund.

State Revenue

The bill may impact tuition revenue to institutions of higher education. If students enroll in fewer courses because no more than 10 percent of enrolled students can be in developmental education courses that extend the time to graduation, tuition revenue will decrease. If the bill increases retention rates of students that otherwise would not have enrolled in additional courses, tuition revenue will increase. The specific change in tuition revenue has not been estimated and will vary by institution. Any change is overall expected to be minimal.

State Expenditures

Beginning in FY 2018-19, the bill increases costs for institutions of higher education and workload for DHE and CDE.

Institutions of higher education. The bill increases costs for institutions of higher education to modify and implement developmental education and supplemental academic instruction policies; offer new supplemental academic instruction options; pilot new approaches to developmental education and supplemental academic instruction; and modify cooperative agreements with local education providers to provide concurrent enrollment. The costs will vary among institutions, based on current policies, the type of institution, and the number of students served through developmental education or supplemental academic instruction. No change in appropriations is required.

Department of Higher Education. The bill increases workload for DHE to modify data collection and report contents, as well as for the CCHE to modify current policies related to developmental education and supplemental academic instruction. The workload is expected to be minimal and can be accomplished within current appropriations.

Department of Education. The bill increases the workload for CDE to modify data and reporting processes and timing, as well as to update relevant materials. No change in appropriations is required.

School District Impact

If the bill requires modifications of concurrent enrollment cooperative agreements between school districts and institutions of higher education, costs and workload for school districts to offer concurrent enrollment may increase. Any change is dependent on the district's current concurrent enrollment offerings.

Effective Date

The bill takes effect upon signature of the Governor, or upon becoming law without his signature.

State and Local Government Contacts

Education

Higher Education

Information Technology