

CHAPTER 383

EDUCATION - PUBLIC SCHOOLS

SENATE BILL 21-119

BY SENATOR(S) Bridges and Lundeen, Buckner, Danielson, Fenberg, Ginal, Gonzales, Hisey, Jaquez Lewis, Kirkmeyer, Lee, Moreno, Pettersen, Rankin, Scott, Simpson, Smallwood, Story, Winter, Woodward, Garcia;
also REPRESENTATIVE(S) Esgar and Geitner, Amabile, Bacon, Bennett, Bird, Boesenecker, Carver, Cutter, Exum, Herod, Hooton, Jackson, Jodeh, Kipp, McCluskie, McCormick, McLachlan, Mullica, Ortiz, Ricks, Snyder, Titone, Valdez A., Valdez D., Young, Garnett.

AN ACT

CONCERNING INCREASING ACCESS IN HIGH SCHOOL TO HIGH-QUALITY CREDENTIALS WITHIN THE CAREER DEVELOPMENT SUCCESS PROGRAM, AND, IN CONNECTION THEREWITH, MAKING AN APPROPRIATION.

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

SECTION 1. Legislative declaration. (1) The general assembly finds that:

(a) For more than four years, the career development success program has incentivized 54 school districts and charter schools to offer 24,757 industry-recognized credentials, work-based learning experiences, and advanced placement courses to Colorado students;

(b) Research shows that program strategies for high school students to earn a credential in high school help students gain a living-wage job more quickly after high school, support ongoing postsecondary education attainment, and save students and families money in higher education expenses, all while supporting Colorado's economy in the state's most in-demand jobs; and

(c) To support Colorado's economic recovery from the COVID-19 pandemic and Coloradans in earning industry-recognized credentials that lead to a living-wage job, Colorado schools provide multiple programs that support secondary students in earning industry-recognized credentials in high school.

(2) Therefore, the general assembly declares that further increasing access to high-quality, in-demand industry credentials, for which students earn high school

Capital letters or bold & italic numbers indicate new material added to existing law; dashes through words or numbers indicate deletions from existing law and such material is not part of the act.

and postsecondary credits, accelerates students' ability to obtain high-quality, living-wage jobs and connects the supply and demand of Colorado's economy to allow the education system to respond more quickly to workforce talent needs in the state.

SECTION 2. In Colorado Revised Statutes, 22-54-138, **amend** (1)(i), (1)(j), (2), (3)(a), (4)(b) introductory portion, (4)(b)(II), (4)(c), (4)(d), (4)(e), (5)(c), (7), (8)(b), (8)(f), and (8)(g); **repeal** (1)(k); and **add** (3.5), (4)(b.5), (8)(h), (8)(i), (8.5), and (8.7) as follows:

22-54-138. Career development success program - created - funding - report - resource bank - definitions - repeal. (1) As used in this section, unless the context otherwise requires:

(i) "Qualified industry-credential program" means a career and technical education program that:

(I) Upon completion, results in an industry-recognized credential ~~and~~ WITH LABOR MARKET VALUE ALIGNED WITH A HIGH-SKILL, HIGH-WAGE, IN-DEMAND OCCUPATION, AS DEFINED BY COLORADO'S STATE PLAN FOR THE FEDERAL "STRENGTHENING CAREER AND TECHNICAL EDUCATION FOR THE 21ST CENTURY ACT (PERKINS V)", PUB.L. 115-224;

(II) UPON COMPLETION, RESULTS IN credits that apply to graduation from a school district, district charter school, or institute charter school, which credits may be earned through concurrent enrollment as provided in article 35 of this ~~title~~ TITLE 22; and

~~(H)~~ (III) Is identified by the Colorado work force development council as provided in subsection (3) of this section.

(j) "~~Qualified internship, residency, or construction industry pre-apprenticeship, or apprenticeship~~ WORKPLACE TRAINING program" means an internship program, ~~a residency program,~~ a construction industry apprenticeship program, ~~or~~ a construction industry pre-apprenticeship program, ~~which program~~ OR ANY OTHER INDUSTRY APPRENTICESHIP OR PRE-APPRENTICESHIP PROGRAM THAT is identified by the Colorado work force development council as provided in subsection (3) of this section.

(k) "~~Residency program~~" means ~~a program defined by the work force development council or the department of labor and employment that:~~

~~(I) Provides an individual with a set of well-defined occupational skills and abilities by teaching both theoretical and practical concepts primarily through on-the-job training and related instruction; and~~

~~(II) Ensures the individual receives a form of compensation for the on-the-job training.~~

(2) There is ~~hereby~~ created the career development success program in the department of education to provide financial incentives for participating districts

and participating charter schools to encourage pupils enrolled in grades nine through twelve to enroll in and successfully complete qualified industry-credential programs; qualified ~~internship, residency, or construction industry pre-apprenticeship, or apprenticeship~~ WORKPLACE TRAINING programs; and qualified advanced placement courses. For the 2017-18 budget year and each budget year thereafter, each participating district and each participating charter school, as provided in subsection (5) of this section, may receive up to one thousand dollars for each pupil who, in the preceding budget year, successfully completes a qualified industry-credential program; qualified ~~internship, residency, or construction industry pre-apprenticeship, or apprenticeship~~ WORKPLACE TRAINING program; or qualified advanced placement course.

(3) (a) On or before August 15, 2016, and on or before July 1 each year thereafter, the work force development council, in collaboration with the department of higher education, the department of education, the department of labor and employment, THE COLORADO COMMUNITY COLLEGE SYSTEM, and the Colorado office of economic development, shall publish on the council's website a list of the qualified industry-credential programs and qualified ~~internship, residency, or construction industry pre-apprenticeship, or apprenticeship~~ WORKPLACE TRAINING programs for that school year. AT LEAST ANNUALLY, the council and its partners shall identify AND REVIEW the qualified industry-credential programs and qualified ~~internship, residency, or construction industry pre-apprenticeship, or apprenticeship~~ WORKPLACE TRAINING programs by identifying the jobs included in the Colorado talent ~~pipeline~~ report, prepared pursuant to section 24-46.3-103, C.R.S., with the greatest regional and state demand, including HIGH-SKILL, HIGH-WAGE jobs in in-demand industries, and, AFTER CONSULTATION WITH RELEVANT INDUSTRIES, identifying the programs that ~~align with or~~ HAVE LABOR MARKET VALUE AND are likely to lead to the identified jobs. ANY PROGRAMS THAT THE COUNCIL DETERMINES DO NOT DEMONSTRATE LABOR MARKET VALUE MAY BE REMOVED FROM THE COUNCIL'S WEBSITE.

(3.5)(a) BEGINNING IN THE 2022-23 SCHOOL YEAR, AND FOR EACH SCHOOL YEAR THEREAFTER, THE DEPARTMENT OF EDUCATION, IN COORDINATION WITH THE DEPARTMENT OF LABOR AND EMPLOYMENT, THE DEPARTMENT OF HIGHER EDUCATION, THE COLORADO COMMUNITY COLLEGE SYSTEM, AND EMPLOYERS FROM IN-DEMAND INDUSTRIES, SHALL IDENTIFY THE TOP TEN INDUSTRY-RECOGNIZED CREDENTIALS, EACH OF WHICH MUST AT A MINIMUM MEET THE REQUIREMENTS SPECIFIED IN SUBSECTION (3.5)(b) OF THIS SECTION. FOR EACH OF THE IDENTIFIED CREDENTIALS, THE DEPARTMENT OF EDUCATION SHALL IDENTIFY THE STATE CONTENT STANDARDS THAT ALIGN WITH THE COURSES REQUIRED TO OBTAIN THE CREDENTIAL AND POST ON THE DEPARTMENT'S WEBSITE AN EXPLANATION OF THE STANDARDS AND COURSE ALIGNMENTS FOR EACH CREDENTIAL.

(b) TO BE IDENTIFIED AS ONE OF THE TOP TEN INDUSTRY-RECOGNIZED CREDENTIALS PURSUANT TO SUBSECTION (3)(a) OF THIS SECTION:

(I) A CREDENTIAL MUST BE ASSOCIATED WITH ONE OF THE IN-DEMAND INDUSTRIES IDENTIFIED BY THE COLORADO TALENT REPORT, PREPARED PURSUANT TO SECTION 24-46.3-103 (3) FOR THE APPLICABLE YEAR, AND COLORADO'S STATE PLAN FOR THE FEDERAL "STRENGTHENING CAREER AND TECHNICAL EDUCATION FOR THE 21ST CENTURY ACT (PERKINS V)", PUB.L. 115-224;

(II) A HIGH-SCHOOL LEVEL CAREER PATHWAY MUST HAVE BEEN CREATED FOR THE CREDENTIAL OR HIGH SCHOOLS MUST HAVE THE ABILITY TO OFFER THE CREDENTIAL; AND

(III) THE CREDENTIAL PATHWAY MUST INCLUDE CONCURRENT ENROLLMENT COURSES, AS PROVIDED IN THE CONCURRENT ENROLLMENT PROGRAMS ACT, ARTICLE 35 OF THIS TITLE 22, AND BE LIKELY TO LEAD TO A POSTSECONDARY DEGREE AND TO JOBS IN HIGH-SKILL, HIGH-WAGE, IN-DEMAND INDUSTRIES.

(4) (b) By June 30, 2017, and by June 30 each year thereafter, each participating district, each nonparticipating district on behalf of its participating charter schools, and the institute on behalf of each participating institute charter school, shall report to the department of education the total number of pupils, enrolled in the participating district, ~~the total number of pupils enrolled in the participating charter schools of the nonparticipating district, or the total number of pupils enrolled in the participating institute charter schools who,~~ during the school year that ends on that June 30:

(II) Successfully completed a qualified ~~internship, residency, or construction industry pre-apprenticeship, or apprenticeship~~ WORKPLACE TRAINING program; or

(b.5) EACH PARTICIPATING DISTRICT, EACH NONPARTICIPATING DISTRICT ON BEHALF OF ITS PARTICIPATING CHARTER SCHOOLS, AND THE INSTITUTE ON BEHALF OF EACH PARTICIPATING INSTITUTE CHARTER SCHOOL, IN ADDITION TO REPORTING THE TOTALS, SHALL DISAGGREGATE, TO THE EXTENT POSSIBLE WHILE MAINTAINING STUDENT PRIVACY, THE INFORMATION REPORTED PURSUANT TO SUBSECTION (4)(b) OF THIS SECTION BY THE STUDENTS' RACE, ETHNICITY, AND GENDER, AND WHETHER A STUDENT IS A STUDENT WITH A DISABILITY, AN ENGLISH LANGUAGE LEARNER, OR ELIGIBLE FOR FREE OR REDUCED-PRICE LUNCH PURSUANT TO THE FEDERAL "RICHARD B. RUSSELL NATIONAL SCHOOL LUNCH ACT", 42 U.S.C. SEC. 1751 ET SEQ.

(c) Each qualified internship ~~and residency~~ program AND NON-REGISTERED APPRENTICESHIP PROGRAM shall determine whether a pupil successfully completes the program.

(d) A pupil successfully completes a qualified ~~construction~~ industry pre-apprenticeship program if the student completes the course requirements of the program with a passing grade and is accepted into ~~a construction~~ AN industry apprenticeship program as a registered apprentice.

(e) A pupil may be reported as successfully completing a qualified ~~construction~~ industry apprenticeship if the pupil is accepted as a registered apprentice in ~~a construction~~ AN industry apprenticeship program and employed ~~by a construction~~ IN THE industry. ~~contractor.~~

(5) (c) In a budget year in which there is money remaining in the appropriation made pursuant to ~~paragraph (a) of this subsection (5)~~ SUBSECTION (5)(a) OF THIS SECTION after distributing the money as provided in ~~paragraph (b) of this subsection (5)~~ SUBSECTION (5)(b) OF THIS SECTION, the department of education shall distribute to each district and to the institute an amount equal to one thousand dollars

multiplied by the number of pupils reported by the district or the institute as successfully completing a qualified ~~internship, residency, or construction industry pre-apprenticeship, or apprenticeship~~ WORKPLACE TRAINING program; except that, if the amount remaining is insufficient to fully fund the total number of reported pupils, the department of education shall reduce the amount distributed to each district and to the institute by the same percentage that the deficit bears to the amount required to fully fund the total number of pupils reported as successfully completing a qualified ~~internship, residency, or construction industry pre-apprenticeship, or apprenticeship~~ WORKPLACE TRAINING program.

(7) (a) Each participating district and each participating charter school shall regularly communicate to all MIDDLE AND high school students AND THE STUDENTS' FAMILIES:

(I) The availability of qualified industry-credential programs, qualified ~~internship, residency, or construction industry pre-apprenticeship, or apprenticeship~~ WORKPLACE TRAINING programs, and qualified advanced placement courses and the benefits a student receives as a result of successfully completing one of these programs or courses; ~~The participating district and participating charter school shall design the communications with students with the goal of increasing participation in these programs and courses across all student subgroups.~~

(II) HOW INDUSTRY-RECOGNIZED CREDENTIALS AND GUARANTEED-TRANSFER PATHWAYS COURSES, AS DEFINED IN SECTION 23-5-145.5 (1)(c), THAT ARE INCLUDED IN SUCH CREDENTIALS ARE ALIGNED WITH POSTSECONDARY DEGREES AND HIGH-SKILL, HIGH-WAGE, IN-DEMAND JOBS; AND

(III) THE TOP TEN INDUSTRY-RECOGNIZED CREDENTIALS IDENTIFIED PURSUANT TO SUBSECTION (3.5) OF THIS SECTION.

(b) TO THE EXTENT POSSIBLE, ALL COMMUNICATIONS ISSUED PURSUANT TO THIS SUBSECTION (7) SHALL BE PROVIDED IN A LANGUAGE THAT THE STUDENTS AND THE STUDENTS' FAMILIES UNDERSTAND. THE GOAL OF THE COMMUNICATIONS MUST BE TO INCREASE PARTICIPATION IN QUALIFIED INDUSTRY-CREDENTIAL PROGRAMS; QUALIFIED WORKPLACE TRAINING PROGRAMS; AND QUALIFIED ADVANCED PLACEMENT COURSES ACROSS ALL STUDENT SUBGROUPS.

(8) At the hearing with the joint education committee of the general assembly held in accordance with section 2-7-203 in November or December 2017, and at the hearing held each year thereafter, the department of education shall provide a report that describes the outcomes achieved by the career development success program. At a minimum, the report must include the following information:

(b) The number of students in each year of the program that the participating districts and participating charter schools reported as earning an industry certificate by completing a qualified industry-credential program; successfully completing a qualified ~~internship, residency, or construction industry pre-apprenticeship, or apprenticeship~~ WORKPLACE TRAINING program; or completing a qualified advanced placement course and earning a score on the end-of-course exam that is eligible for college credit. The department shall report the student numbers in totals and disaggregated based on THE student demographics ~~including eligibility for free or~~

~~reduced-price meals~~ SPECIFIED IN SUBSECTION (4)(b.5) OF THIS SECTION.

(f) To the extent information is available, whether more students met the requirements for funding under the program after the program was enacted as compared to before the program was enacted and the likelihood that a higher level of funding for the program would increase the number of students who meet the requirements for funding under the program; ~~and~~

(g) Whether the students participating in the qualified industry-credential programs; ~~qualified internship, residency, or construction industry pre-apprenticeship, or apprenticeship~~ WORKPLACE TRAINING programs; and qualified advanced placement courses graduated from high school and whether after graduation they enrolled in postsecondary education, ENLISTED IN THE MILITARY, OR ENTERED THE WORKFORCE, AND TO THE EXTENT PRACTICABLE, WHETHER THE STUDENTS' CAREERS ARE RELATED TO THE INDUSTRY-RECOGNIZED CREDENTIALS COMPLETED;

(h) HOW MONEY RECEIVED UNDER THE PROGRAM WAS USED TO PROMOTE THE AVAILABILITY OF QUALIFIED INDUSTRY-CREDENTIAL PROGRAMS; QUALIFIED WORKPLACE TRAINING PROGRAMS; AND QUALIFIED ADVANCED PLACEMENT COURSES; AND

(i) HOW THE PARTICIPATING DISTRICT OR PARTICIPATING CHARTER SCHOOL DETERMINED WHICH QUALIFIED INDUSTRY-CREDENTIAL PROGRAMS; QUALIFIED WORKPLACE TRAINING PROGRAMS; AND QUALIFIED ADVANCEMENT PLACEMENT COURSES TO OFFER, INCLUDING HOW THE PROGRAMS ARE ALIGNED WITH STATE OR LOCAL WORKFORCE NEEDS.

(8.5) (a) NO LATER THAN JULY 1, 2022, THE DEPARTMENT OF EDUCATION, IN COLLABORATION WITH THE COLORADO COMMUNITY COLLEGE SYSTEM, SHALL PUBLISH AND DISSEMINATE MATERIALS THROUGH EXISTING AND RELEVANT PLATFORMS USED TO ENGAGE WITH DISTRICTS THAT INCLUDE, AT A MINIMUM:

(I) THE TOP TEN INDUSTRY-RECOGNIZED CREDENTIALS IDENTIFIED PURSUANT TO SUBSECTION (3.5) OF THIS SECTION; AND

(II) FOR EACH OF THE TOP TEN INDUSTRY-RECOGNIZED CREDENTIALS, A SAMPLE COMMUNICATIONS PLAN FOR HOW A PARTICIPATING DISTRICT OR PARTICIPATING CHARTER SCHOOL MAY COMMUNICATE THE VALUE OF CREDENTIALS AND EXPERIENCES TO STUDENTS AND PARENTS. THE COMMUNICATIONS PLAN MUST INCLUDE INFORMATION ON HOW TO EDUCATE PARENTS AND STUDENTS ABOUT HOW HIGH SCHOOL CREDIT IS TIED TO CREDENTIALS AND THE COURSES INCLUDED AS A PART OF THE CREDENTIAL PATHWAY BASED ON ALIGNMENT WITH THE STATE ACADEMIC STANDARDS, STATE GRADUATION GUIDELINES ADOPTED PURSUANT TO SECTION 22-2-106 (1)(a.5), AND POSTSECONDARY CREDIT, WHICH MAY INCLUDE CREDIT THROUGH CONCURRENT ENROLLMENT.

(b) ANY MATERIALS PUBLISHED AND DISSEMINATED PURSUANT TO THIS SUBSECTION (8.5) MUST BE MADE AVAILABLE TO MIDDLE AND HIGH SCHOOL STUDENTS AT A REASONABLE TIME BEFORE ANY PARTICIPATING DISTRICT'S OR PARTICIPATING CHARTER SCHOOL'S COURSE SELECTION DEADLINE.

(8.7) A PARTICIPATING DISTRICT OR PARTICIPATING CHARTER SCHOOL SHALL UTILIZE THE MONEY RECEIVED PURSUANT TO SUBSECTION (5) OF THIS SECTION TO PROMOTE ACCESS TO QUALIFIED INDUSTRY-CREDENTIAL PROGRAMS; QUALIFIED WORKPLACE TRAINING PROGRAMS AND QUALIFIED ADVANCED PLACEMENT COURSES, WHICH MAY INCLUDE:

(a) WORKING WITH LOCAL WORKFORCE BOARDS TO DETERMINE THE PROGRAMS AND COURSES THAT WILL HELP TO MEET LOCAL WORKFORCE NEEDS;

(b) COMMUNICATING WITH STUDENTS AND THE STUDENTS' FAMILIES ABOUT THE PROGRAMS AND COURSES IN A LANGUAGE THAT THE STUDENTS AND THE STUDENTS' FAMILIES UNDERSTAND;

(c) PURCHASING AND MAINTAINING EQUIPMENT AND SUPPLIES FOR THE PROGRAMS AND COURSES, WHICH MAY INCLUDE THE COST OF EXAMINATIONS RELATED TO SUCH PROGRAMS AND COURSES; AND

(d) ASSISTING STUDENTS, INCLUDING STUDENTS WHO ARE ELIGIBLE FOR FREE OR REDUCED-PRICE LUNCH PURSUANT TO THE FEDERAL "RICHARD B. RUSSELL NATIONAL SCHOOL LUNCH ACT", 42 U.S.C. SEC. 1751 ET SEQ., STUDENTS WITH DISABILITIES, AND STUDENTS WHO ARE ENGLISH LANGUAGE LEARNERS, WITH THE SUPPORT NEEDED TO ACCESS AND SUCCEED IN THE PROGRAMS AND COURSES.

SECTION 3. In Colorado Revised Statutes, 23-1-135, amend (3)(b)(I) as follows:

23-1-135. Department directive - undergraduate degree and certificate programs - annual return on investment report - definition - repeal. (3)(b) The return on investment report must include information concerning the undergraduate degree and certificate programs offered at each institution including, at a minimum:

(I) The number of students enrolled in the undergraduate degree or certificate program and the number of degrees and certificates awarded annually for the program, SPECIFICALLY IDENTIFYING THE NUMBER OF HIGH SCHOOL STUDENTS ENROLLED AND THE NUMBER OF DEGREES AND CERTIFICATES AWARDED THROUGH THE CAREER DEVELOPMENT SUCCESS PROGRAM CREATED IN SECTION 22-54-138;

SECTION 4. Appropriation. For the 2021-22 state fiscal year, \$20,000 is appropriated to the department of education. This appropriation is from the general fund. To implement this act, the department may use this appropriation for the career development success program.

SECTION 5. Act subject to petition - effective date. 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; 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 2022 and, in such case, will take effect on the date of the official declaration of the vote thereon by the governor.

Approved: June 30, 2021