A BILL FOR AN ACT

CONCERNING EXPANDING OPPORTUNITIES FOR HIGH SCHOOL STUDENTS TO ENROLL IN POSTSECONDARY COURSES.

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 bill directs the commissioner of education (commissioner) to convene the early college policy development task force (task force) to design and recommend policies and changes to law to support the statewide development of and funding for early college programs and p-tech schools. The bill specifies the membership of the task force, to be selected by the commissioner, and the specific duties of the task force.
The task force must prepare an interim report and a final report of its findings and recommendations, and submit the reports by December 1, 2022, and December 1, 2023, respectively, to the governor, the education leadership council, the state board of education, the Colorado commission on higher education, and the education committees of the general assembly. The bill creates a legislative advisory council to provide advice and comment to the task force.

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

SECTION 1. In Colorado Revised Statutes, add part 2 to article 35.3 of title 22 as follows:

PART 2
EARLY COLLEGE PROGRAM DEVELOPMENT

22-35.3-201. Legislative declaration. (1) The general assembly finds that:

(a) Colorado's economic vitality depends on a highly educated, skilled, and diverse workforce ready to meet the job demands of a post-pandemic world. This requires a learner-centered approach to evaluating current programs designed to provide postsecondary learning opportunities for students enrolled in high school and, ultimately, creating pathways and workforce options that blur the lines between education and career.

(b) Although Colorado is considered a national leader in concurrent enrollment policy, the state has several statutes authorizing students to earn college credits while enrolled in high schools that were enacted at different times and address various aspects of college readiness and success, including concurrent enrollment programs authorized in article 35 of this title 22; the accelerating students through concurrent
ENROLLMENT, OR ASCENT, PROGRAM CREATED IN SECTION 22-35-108;
PATHWAYS IN TECHNOLOGY EARLY COLLEGE, OR P-TECH, HIGH SCHOOLS
AUTHORIZED IN PART 1 OF THIS ARTICLE 35.3; THE TEACHER RECRUITMENT
EDUCATION AND PREPARATION, OR TREP, PROGRAM CREATED IN SECTION
22-35-108.5, AND ADVANCED PLACEMENT COURSES;

(c) EARLY COLLEGE PROGRAMS, WHICH ARE EDUCATIONAL
OPPORTUNITIES THAT ENABLE A STUDENT TO SIMULTANEOUSLY EARN A
HIGH SCHOOL DIPLOMA AND COMPLETE A COLLEGE CERTIFICATE OR
DEGREE, HAVE OPERATED IN THE UNITED STATES FOR NEARLY TWO
DECADES;

(d) EARLY COLLEGE PROGRAMS DIFFER FROM TRADITIONAL
CONCURRENT ENROLLMENT IN THAT EARLY COLLEGE PROGRAMS ARE NOT
SIMPLY OPPORTUNITIES FOR STUDENTS TO TAKE COLLEGE-LEVEL COURSES
IN HIGH SCHOOL BUT RATHER TO ALLOW STUDENTS TO ENROLL IN HIGHER
EDUCATION AS DEGREE-SEEKING STUDENTS WHILE ENROLLED IN HIGH
SCHOOL;

(e) EARLY COLLEGE PROGRAMS HAVE ENJOYED IMPRESSIVE
OUTCOMES, AND MANY DEMONSTRATE COLLEGE COMPLETION RATES THAT
FAR EXCEED STATEWIDE OR INSTITUTIONAL AVERAGES;

(f) ALTHOUGH EARLY COLLEGE PROGRAMS MAY INCREASE COSTS
FOR DIRECT INSTRUCTION IN THE SHORT RUN, IN THE LONG RUN THESE
PROGRAMS ARE GENERALLY MORE EFFICIENT AND EXHIBIT MORE
EFFECTIVE USES OF PUBLIC REVENUES;

(g) COLORADO LAW ALLOWS THE STATE BOARD OF EDUCATION TO
DESIGNATE EARLY COLLEGES AND P-TECH SCHOOLS, WHICH ARE EARLY
COLLEGE HIGH SCHOOLS THAT SPAN SIX YEARS, INCLUDE INDUSTRY
PARTNERS, AND PROVIDE STUDENTS WITH AN INDUSTRY-RECOGNIZED
ASSOCIATE DEGREE;

(h) COLORADO HAS MORE THAN TWENTY EARLY COLLEGES AND
SEVEN P-TECH HIGH SCHOOLS;

(i) COLORADO ALSO APPROPRIATES MONEY TO FUND UP TO FIVE
HUNDRED STUDENTS IN THE ASCENT PROGRAM EACH YEAR, HOWEVER
THESE STUDENTS ARE NOT ENROLLED IN EARLY COLLEGE PROGRAMS;

(j) THROUGH THESE PROGRAMS AND THE EXPANSION OF
WORK-BASED LEARNING AND PARTNERSHIPS, ACCORDING TO THE
COLORADO DEPARTMENT OF EDUCATION, NEARLY SIXTEEN THOUSAND
STUDENTS COMPLETED INDUSTRY CREDENTIAL PROGRAMS, WORK-BASED
LEARNING EXPERIENCES, AND QUALIFIED COURSES IN HIGH SCHOOLS
BETWEEN 2016 AND 2019;

(k) IMPORTANTLY, ALTHOUGH COLORADO HAS MANY EXAMPLES
OF INNOVATION THROUGH CONCURRENT ENROLLMENT, THE SCALABILITY
OF THESE PROGRAMS, DESPITE THEIR SUCCESS, CAN BE LIMITED DUE TO
LEGAL, GEOGRAPHIC, AND FINANCIAL BARRIERS;

(l) IN 2018, THE GENERAL ASSEMBLY PASSED SENATE BILL 18-225,
WHICH DEFINED EARLY COLLEGES AS HIGH SCHOOLS THAT PROVIDE AN
EARLY COLLEGE PROGRAM THAT A STUDENT CAN COMPLETE IN FOUR
YEARS OR LESS. THIS LEGISLATION EFFECTIVELY ENDED SEVERAL HIGHLY
SUCCESSFUL EARLY COLLEGE MODELS, DESPITE THE FACT THAT THE STATE
CONTINUED TO FUND OTHER FIVE- AND SIX-YEAR OPTIONS.

(m) DESPITE EARNEST EFFORTS TO IMPROVE ACCESS TO EARLY
COLLEGE PROGRAMS IN RURAL AND REMOTE COMMUNITIES, THE MAJORITY
OF EARLY COLLEGE PROGRAMS ARE GENERALLY AVAILABLE TO STUDENTS
IN URBAN AND LARGER SCHOOL DISTRICTS;

(n) RECENTLY, THE UNITED STATES DEPARTMENT OF EDUCATION
AUTHORIZED THE USE OF FEDERAL FUNDS TO SUPPORT CONCURRENT
ENROLLMENT AND EARLY COLLEGE PROGRAM COSTS. THESE
OPPORTUNITIES INCLUDE USING PROGRAMS CREATED IN TITLE I AND TITLE
IV OF THE "ELEMENTARY AND SECONDARY EDUCATION ACT OF 1965", 20
U.S.C. SEC. 6301 ET SEQ., AS AMENDED, TO PROVIDE FUNDING FOR
CONCURRENT ENROLLMENT COSTS.

(o) In 2009, the Colorado P-20 Education Coordinating
Council, a broad, bipartisan, statewide council of educators,
business experts, and administrators, recommended the
development of the "Concurrent Enrollment Programs Act",
article 35 of this title 22. This legislation created much of
concurrent enrollment as it now exists in Colorado, including
the ASCENT and early college programs.

(p) After more than ten years of implementation, these
concurrent enrollment and early college programs
demonstrate a pattern of positive impacts on students, but there
is inequitable access statewide, which is caused in part by a
complicated and interwoven set of issues related to program
approval and funding. Consequently, the state should provide
well-informed educators, administrators, and policy
professionals an opportunity to carefully deliberate to ensure
that successful, high-performing programs are not adversely
impacted while strategies are designed to enable innovation and
more equitable access to early college programs for students
in rural communities in the state.

(2) The general assembly finds, therefore, that it is
necessary to direct the commissioner of education to convene an
EARLY COLLEGE POLICY DEVELOPMENT TASK FORCE TO DEVELOP AND RECOMMEND NEW STATE LAWS TO SUPPORT THE EQUITABLE AND SUSTAINABLE EXPANSION OF EARLY COLLEGE PROGRAM AND P-TECH SCHOOL OPPORTUNITIES TO ALL REGIONS OF THE STATE AND TO REESTABLISH COLORADO AS A LEADER IN EDUCATION INNOVATION IN THE NATION.

22-35.3-202. Definitions. As used in this part 2, unless the context otherwise requires:

(1) "ASCENT PROGRAM" MEANS THE ACCELERATING STUDENTS THROUGH CONCURRENT ENROLLMENT PROGRAM CREATED IN SECTION 22-35-108.

(2) "COMMISSIONER" MEANS THE COMMISSIONER OF EDUCATION APPOINTED BY THE STATE BOARD OF EDUCATION PURSUANT TO SECTION 1 OF ARTICLE IX OF THE STATE CONSTITUTION.

(3) "EARLY COLLEGE PROGRAM" MEANS AN EDUCATIONAL PROGRAM THAT ENABLES A STUDENT TO SIMULTANEOUSLY EARN A HIGH SCHOOL DIPLOMA AND COMPLETE A POSTSECONDARY CERTIFICATE OR DEGREE.

(4) "EDUCATION LEADERSHIP COUNCIL" MEANS THE GOVERNOR'S EDUCATION LEADERSHIP COUNCIL CREATED BY EXECUTIVE ORDER B 2017-001.

(5) "P-TECH SCHOOL" MEANS A PATHWAYS IN TECHNOLOGY EARLY COLLEGE HIGH SCHOOL, OR PROGRAM WITHIN A HOST SCHOOL, THAT IS APPROVED PURSUANT TO PART 1 OF THIS ARTICLE 35.3.

(6) "TASK FORCE" MEANS THE EARLY COLLEGE POLICY DEVELOPMENT TASK FORCE CONVENED BY THE COMMISSIONER PURSUANT TO SECTION 22-35.3-203.
(7) "TREP PROGRAM" MEANS THE TEACHER RECRUITMENT EDUCATION AND PREPARATION PROGRAM CREATED IN SECTION 22-35-108.5.

22-35.3-203. Early college policy development task force.

(1) No later than July 1, 2022, the commissioner shall convene the early college policy development task force. The task force membership consists of, at a minimum:

(a) The commissioner or the commissioner's designee;

(b) The executive director of the department of higher education or the executive director's designee; and

(c) The following individuals selected by the commissioner:

(I) Representatives from secondary education who have experience in concurrent enrollment programming, including, at a minimum, representatives of school district administrators, principals, teachers, parents, and students;

(II) Representatives from higher education who have experience in concurrent enrollment programming, including, at a minimum, representatives of four-year institutions of higher education, community colleges, local district colleges, area technical schools, and students;

(III) A representative from the state work force development council created in section 24-46.3-101;

(IV) Representatives from the education leadership council;

(V) Representatives of the business community; and

(VI) Representatives from education advocacy groups.
THAT ADDRESS CONCURRENT ENROLLMENT ISSUES.

(2) The commissioner or the commissioner's designee shall serve as chair of the task force. The task force shall meet at the call of the chair at least four times from July 2022 through December 2022 and at least four times from May 2023 through December 2023. The task force is a state public body for purposes of section 24-6-402, and meetings of the task force are subject to the requirements of said section. The task force is subject to the provisions of the "Colorado Open Records Act", part 2 of article 72 of title 24.

(3) The task force members serve without compensation but may be reimbursed for expenses directly relating to their service on the task force.

(4) The department of education and the department of higher education shall provide to the task force staff support and meeting space upon request of the chair.

22-35.3-204. Task force duties - report. (1) The task force shall:

(a) Coordinate with the education leadership council in completing its duties;

(b) Design and recommend comprehensive, uniform policies that enable high schools and postsecondary institutions to create and sustain early college programs in every region of the state. The task force shall design the policy recommendations to enable all high schools to provide early college programs that are four-year programs, encompassing grades nine through twelve; five-year programs, encompassing

-8-
GRADES NINE THROUGH THIRTEEN; OR SIX-YEAR PROGRAMS, ENCOMPASSING GRADES NINE THROUGH FOURTEEN. IN DESIGNING COMPREHENSIVE, UNIFORM POLICIES FOR FOUR-, FIVE-, AND SIX-YEAR EARLY COLLEGE PROGRAMS, THE TASK FORCE SHALL ADDRESS THE WAYS IN WHICH EXISTING STATUTES AND RULES MUST BE MODIFIED, COMBINED, OR REPEALED TO ACCOMPLISH THE GOAL OF ENSURING ACCESS TO EARLY COLLEGE PROGRAMS IN ALL REGIONS OF THE STATE.

(c) DESIGN AND RECOMMEND POLICIES TO EXPAND INNOVATIVE POSTSECONDARY AND WORKFORCE CREDENTIAL OPTIONS AND COURSE PATHWAYS AVAILABLE THROUGH EARLY COLLEGE PROGRAMS, WITH A FOCUS ON COURSE PATHWAYS LEADING TO CREDENTIALS ASSOCIATED WITH HIGH-NEED, IN-DEMAND, HIGH-VALUE BUSINESSES AND INDUSTRIES. COURSE PATHWAYS MAY INCLUDE, BUT NEED NOT BE LIMITED TO, CAREER AND TECHNICAL EDUCATION COURSES, CONCURRENT OR DUAL ENROLLMENT OPTIONS, ADVANCED PLACEMENT AND INTERNATIONAL BACCALAUREATE COURSES, WORK-BASED LEARNING, AND APPRENTICESHIPS.

(d) MAKE RECOMMENDATIONS CONCERNING THE CREATION OF A STATEWIDE CORPS OF COUNSELORS TO ASSIST STUDENTS IN IDENTIFYING, UNDERSTANDING, AND NAVIGATING OPTIONS FOR EARLY COLLEGE PROGRAMS AND P-TECH SCHOOLS AND OTHER CONCURRENT AND DUAL ENROLLMENT OPTIONS;

(e) TAKING INTO ACCOUNT ALL EXISTING AND POTENTIAL FUNDING SOURCES, DESIGN POLICY RECOMMENDATIONS THAT CREATE A UNIFORM AND COMPREHENSIVE FUNDING MECHANISM FOR EARLY COLLEGE PROGRAMS AND P-TECH SCHOOLS. THE POLICY RECOMMENDATIONS MUST ADDRESS IMPLICATIONS FOR EXISTING CONCURRENT ENROLLMENT
PROGRAMS, including the ASCENT PROGRAM and the TREP PROGRAM.

(f) Recommend characteristics of and standards for early college programs, distinguishing among four-, five-, and six-year early college programs, for purposes of authorizing and measuring the performance of the early college programs. The characteristics and standards must allow high schools of all sizes and from every region in the state to demonstrate early college program quality, regardless of the size of the school. Additionally, the characteristics and standards must provide flexibility to allow high schools to shorten or lengthen the duration of the school’s early college programs, as the school deems appropriate, among four-, five-, and six-year early college programs.

(2) In completing its duties, the task force shall solicit input from employers that work with early college programs and P-TECH schools, teachers who work in early college programs or P-TECH schools, and representatives of school districts, charter schools, boards of cooperative services, and postsecondary institutions from around the state who have expertise in early college programs and P-TECH schools.

(3) The task force shall prepare an interim written report and a final written report of its findings and recommendations with regard to the issues described in subsection (1) of this section and submit the reports to the governor, the education leadership council, the state board of education, the Colorado commission on higher education, and the education committees.
OF THE SENATE AND THE HOUSE OF REPRESENTATIVES, OR ANY SUCCESSOR
committees. The task force shall submit the interim written
report on or before December 1, 2022, and the final written
report on or before December 1, 2023.

22-35.3-205. Legislative advisory council - created. There is
created a legislative advisory council consisting of legislators
appointed, one each, by the speaker and the minority leader of
the house of representatives and the president and the minority
leader of the senate, no later than July 1, 2022. The legislative
advisory council shall provide advice and comment to the task
force and act as a liaison between the general assembly and the
task force.

22-35.3-206. Repeal of part. This part 2 is repealed, effective
January 1, 2024.

SECTION 2. Safety clause. The general assembly hereby finds,
determines, and declares that this act is necessary for the immediate
preservation of the public peace, health, or safety.