

CHAPTER 357

LABOR AND INDUSTRY

SENATE BILL 22-140

BY SENATOR(S) Coleman and Gardner, Bridges, Buckner, Danielson, Donovan, Fields, Ginal, Gonzales, Hansen, Hinrichsen, Jaquez Lewis, Lee, Moreno, Pettersen, Rodriguez, Story, Winter, Zenzinger, Fenberg;
also REPRESENTATIVE(S) McLachlan and Amabile, Bacon, Benavidez, Bernett, Boesenecker, Exum, Gonzales-Gutierrez, Herod, Hooton, Lindsay, Lontine, McCluskie, Michaelson Jenet, Snyder, Titone, Valdez D., Woodrow, Young.

AN ACT

CONCERNING THE EXPANSION OF EXPERIENTIAL LEARNING OPPORTUNITIES THROUGH RELATIONSHIPS WITH EMPLOYERS, AND, IN CONNECTION THEREWITH, ESTABLISHING A WORK-BASED LEARNING INCENTIVE PROGRAM, A DIGITAL NAVIGATION PROGRAM, A CAREER-ALIGNED ENGLISH AS A SECOND LANGUAGE PROGRAM, A GLOBAL TALENT TASK FORCE TO STUDY IN-DEMAND OCCUPATIONS, AND MAKING AN APPROPRIATION.

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

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

(a) The global pandemic has exacerbated challenges employers face in finding the talent they need, and as our economy recovers from the pandemic, Colorado also faces a looming worker shortage over the coming decades;

(b) To address the worker shortage, many employers are interested in providing high-quality, work-based learning for students and adults but face challenges in making that a reality;

(c) Expanding experiential, work-based learning opportunities for adults and youth is a worthwhile state investment. Evidence from multiple sources shows that students benefit from experiential learning opportunities, leading to higher grade point averages, greater engagement, and stronger postsecondary outcomes and career readiness after high school.

(d) Work-based learning allows youth and adults to explore new opportunities, build skills, and transition to new career pathways as work continues to evolve.

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.

Research shows paid work-based learning is a strong tool for increasing equitable access to opportunities for youth and adults from a variety of income backgrounds.

(e) The state has a variety of programs focused on providing employers with training dollars for upskilling members of the current workforce, but not many of these programs explicitly allow training dollars to support youth who might be employed on a part-time basis as an intern or apprentice or focus on the entire continuum of high-quality, work-based learning experiences;

(f) Eligible employers wanting to offer high-quality, work-based learning opportunities to youth and adults would benefit from funding to help with the start-up costs associated with developing these programs, including training dollars that could be used in partnership with institutions of higher education or other training providers;

(g) Colorado has untapped talent pools that can meet the demands of employers in the near term. Twenty percent of Coloradans speak a language other than English at home, with the majority of these Coloradans representing immigrant families. Addressing language barriers through the alignment of education and employment can create immediate access to talent for employers.

(h) Many youth and adults lack sufficient digital problem-solving skills. In Colorado, over 60,000 households with children in the K-12 education system have inconsistent access to computers and the internet. Closing the digital divide for disconnected Coloradans creates new opportunities for participation in society and the economy, especially in critical and growing industries including construction, education, health care, and technology.

(2) Therefore, the general assembly:

(a) Declares that it supports employers, youth, and adults and has an interest in aligning the talent development ecosystem to maximize economic impact;

(b) Finds:

(I) Value in incentivizing employers to increase the number of adults and youth participating in work-based learning and intends for the state to ensure an equal proportion of adults and youth benefit from opportunities created by a work-based learning incentive program;

(II) That the state should prioritize addressing barriers in adopting high-quality, work-based learning models and helping youth and adults access high-quality, work-based learning and employment through the creation of programs that close the digital divide and eliminate language barriers; and

(III) Value in aligning and accelerating work-based learning and skills-based hiring in existing state-funded programs in education, including higher education; training; and employment; and

(c) Intends for the state to ensure that programs are coordinated in a way that maximizes participation for employers, youth, and adults.

SECTION 2. In Colorado Revised Statutes, **add** part 6 to article 83 of title 8 as follows:

**PART 6
EXPERIENTIAL LEARNING**

8-83-601. Definitions. AS USED IN THIS PART 6:

(1) "COMMISSION" MEANS THE BUSINESS EXPERIENTIAL-LEARNING COMMISSION IN THE DEPARTMENT CREATED BY EXECUTIVE ORDER B 2015 004, WHICH WORKS IN PARTNERSHIP WITH THE OFFICE OF ECONOMIC DEVELOPMENT AND THE WORK FORCE DEVELOPMENT COUNCIL, OR A SUBSEQUENT ENTITY ESTABLISHED FOR THE SAME OR SIMILAR PURPOSE.

(2) "DIGITAL EQUITY" MEANS THE CONDITION IN WHICH INDIVIDUALS AND COMMUNITIES HAVE ACCESS TO THE INFORMATION TECHNOLOGY THAT IS NEEDED FOR FULL PARTICIPATION IN SOCIETY AND THE ECONOMY OF THE UNITED STATES.

(3) (a) "DIGITAL INCLUSION" MEANS THE ACTIVITIES THAT ARE NECESSARY TO ENSURE THAT ALL INDIVIDUALS IN THE STATE HAVE ACCESS TO, AND THE USE OF, AFFORDABLE INFORMATION AND COMMUNICATION TECHNOLOGIES, SUCH AS:

(I) RELIABLE FIXED AND WIRELESS BROADBAND INTERNET SERVICE;

(II) INTERNET-ENABLED DEVICES THAT MEET THE NEEDS OF THE USER; AND

(III) APPLICATIONS AND ONLINE CONTENT DESIGNED TO ENABLE AND ENCOURAGE SELF-SUFFICIENCY, PARTICIPATION, AND COLLABORATION.

(b) "DIGITAL INCLUSION" INCLUDES THE ABILITY TO OBTAIN:

(I) ACCESS TO DIGITAL LITERACY TRAINING;

(II) QUALITY TECHNICAL SUPPORT; AND

(III) BASIC AWARENESS OF MEASURES TO ENSURE ONLINE PRIVACY AND CYBERSECURITY.

(4) "DIGITAL LITERACY" MEANS THE SKILLS ASSOCIATED WITH USING TECHNOLOGY THAT ENABLE USERS TO FIND, EVALUATE, ORGANIZE, CREATE, DISSEMINATE, AND COMMUNICATE INFORMATION.

(5) "INCENTIVE PROGRAM" MEANS THE WORK-BASED LEARNING INCENTIVE PROGRAM CREATED IN SECTION 8-83-602.

(6) "NEXT-SKILLING" MEANS ACTIVITIES TO DEVELOP FUTURE-READY SKILLS NECESSARY FOR EMPLOYMENT IN THE TWENTY-FIRST CENTURY AND INCLUDES THE FOCUS AREAS OF HUMAN SKILLS, DIGITAL SKILLS, BUSINESS SKILLS, GROWTH MINDSET, AND A LIFELONG LEARNING MINDSET.

(7) "OFFICE" MEANS THE OFFICE OF FUTURE WORK DESCRIBED IN SECTION

8-77-110.

(8) "OFFICE OF ECONOMIC DEVELOPMENT" MEANS THE COLORADO OFFICE OF ECONOMIC DEVELOPMENT CREATED IN SECTION 24-48.5-101.

(9) "OFFICE OF NEW AMERICANS" MEANS THE OFFICE CREATED IN SECTION 8-3.7-103.

(10) "PROGRAM" MEANS THE STATEWIDE DIGITAL NAVIGATOR PROGRAM CREATED IN SECTION 8-83-603.

(11) (a) "RESKILLING" MEANS ACTIVITIES TO:

(I) SUPPORT UNEMPLOYED AND UNDEREMPLOYED INDIVIDUALS WHO NEED OR WANT TO CHANGE INDUSTRIES IN ORDER TO RETURN TO FULL-TIME WORK OR WHO NEED OR WANT TO OBTAIN MORE APPROPRIATE WORK-BASED SKILLS; AND

(II) HELP UNEMPLOYED AND UNDEREMPLOYED INDIVIDUALS ACHIEVE ECONOMIC SELF-SUFFICIENCY.

(b) "RESKILLING" MAY INCLUDE TECHNICAL TRAINING FOR NEW POSITIONS AND NEW CAREERS AND ENTREPRENEURIAL TRAINING FOR INDIVIDUALS WHO WISH TO PURSUE SELF-EMPLOYMENT AND BUSINESS OWNERSHIP.

(12) "SKILLS-BASED HIRING" MEANS HIRING A PERSON BASED ON THE PERSON'S KNOWLEDGE, SKILLS, AND ABILITIES THAT ARE SPECIFIC TO THE JOB FOR WHICH THE PERSON IS BEING CONSIDERED.

(13) "TARGET POPULATIONS" INCLUDES:

(a) ANY HOUSEHOLD WITH AN INCOME THAT IS NOT MORE THAN ONE HUNDRED FIFTY PERCENT OF THE FEDERAL POVERTY LEVEL, AS DETERMINED BY THE MOST CURRENT FEDERAL POVERTY GUIDELINES ISSUED BY THE UNITED STATES DEPARTMENT OF HEALTH AND HUMAN SERVICES;

(b) INDIVIDUALS WHO ARE FIFTY YEARS OF AGE OR OLDER;

(c) INDIVIDUALS WHO ARE OR WERE INCARCERATED;

(d) VETERANS;

(e) INDIVIDUALS WITH DISABILITIES;

(f) INDIVIDUALS WHO HAVE RECENTLY IMMIGRATED TO THE UNITED STATES AND RESIDE IN THIS STATE;

(g) INDIVIDUALS WHO ARE ENGLISH LANGUAGE LEARNERS;

(h) INDIVIDUALS WITH LOW LEVELS OF LITERACY;

(i) INDIVIDUALS WHO PRIMARILY RESIDE IN RURAL AREAS;

(j) INDIVIDUALS EXPERIENCING HOMELESSNESS; AND

(k) YOUTH.

(14) "UPSKILLING" MEANS ACTIVITIES TO INCREASE THE SKILL LEVELS OF AN EMPLOYEE SO THE EMPLOYEE IS ABLE TO RETAIN EMPLOYMENT AND ADVANCE WITHIN A COMPANY.

(15)(a) "WORK-BASED LEARNING" MEANS LEARNING THAT OCCURS, IN WHOLE OR IN PART, IN THE WORKPLACE THAT PROVIDES YOUTH AND ADULTS WITH HANDS-ON, REAL-WORLD EXPERIENCE AND TRAINING FOR SKILLS DEVELOPMENT.

(b) "WORK-BASED LEARNING" INCLUDES ACTIVITIES SUCH AS JOB SHADOWING, INTERNSHIPS, EXTERNSHIPS, PRE-APPRENTICESHIPS, APPRENTICESHIPS, RESIDENCIES, AND INCUMBENT-WORKER TRAINING.

(16) "WORK-BASED LEARNING INTERMEDIARY" MEANS AN ENTITY SELECTED BY THE DEPARTMENT PURSUANT TO SECTION 8-83-602 (3).

(17) "WORK FORCE DEVELOPMENT COUNCIL" MEANS THE STATE WORK FORCE DEVELOPMENT COUNCIL CREATED IN SECTION 24-46.3-101.

(18) "YOUTH" MEANS AN INDIVIDUAL ELIGIBLE TO BE EDUCATED IN THE PUBLIC SCHOOL SYSTEM PURSUANT TO SECTION 2 OF ARTICLE IX OF THE STATE CONSTITUTION.

8-83-602. Work-based learning incentive program - creation - rules - appropriation. (1) Work-based learning incentive program. (a) ON OR BEFORE JANUARY 1, 2023, THE DEPARTMENT, IN CONSULTATION WITH THE COMMISSION, THE OFFICE OF ECONOMIC DEVELOPMENT, THE DEPARTMENT OF EDUCATION, THE DEPARTMENT OF HIGHER EDUCATION, THE STATE BOARD FOR COMMUNITY COLLEGES AND OCCUPATIONAL EDUCATION, LOCAL DISTRICT COLLEGES, THE WORK FORCE DEVELOPMENT COUNCIL, AND AREA TECHNICAL COLLEGES, AS DEFINED IN SECTION 23-60-103, SHALL ESTABLISH A WORK-BASED LEARNING INCENTIVE PROGRAM TO PROVIDE MONETARY INCENTIVES TO SELECTED EMPLOYERS TO CREATE HIGH-QUALITY, WORK-BASED LEARNING OPPORTUNITIES THAT BENEFIT ADULTS AND YOUTH.

(b) IN ADMINISTERING THE INCENTIVE PROGRAM, THE DEPARTMENT SHALL STRIVE TO CREATE AN EQUAL PROPORTION OF WORK-BASED LEARNING OPPORTUNITIES FOR YOUTH AND ADULTS AND TO SELECT EMPLOYERS AND WORK-BASED LEARNING INTERMEDIARIES WITH THE GOAL OF INCREASING THE NUMBER OF YOUTH AND ADULTS PARTICIPATING IN WORK-BASED LEARNING. THE DEPARTMENT SHALL SELECT WORK-BASED LEARNING INTERMEDIARIES THAT:

(I) DEMONSTRATE EXPERTISE IN AND A CONTINUED COMMITMENT TO CONNECTING, EDUCATING, AND COACHING EMPLOYERS REGARDING WORK-BASED LEARNING OPPORTUNITIES FOR ADULTS AND YOUTH, SUCH AS A CHAMBER OF COMMERCE, A NONPROFIT ENTITY, AN INDUSTRY ASSOCIATION, A LOCAL WORKFORCE AREA, A REGISTERED APPRENTICESHIP PROGRAM, OR A LOCAL GOVERNMENT ENTITY;

(II) WORK WITHIN AND ACROSS THE STATE TO PARTNER WITH MULTIPLE EMPLOYERS; LOCAL EDUCATION PROVIDERS, INSTITUTIONS OF HIGHER EDUCATION, OR OTHER EDUCATIONAL ENTITIES; AND OTHER PUBLIC AND PRIVATE ENTITIES TO FACILITATE WORK-BASED LEARNING EXPERIENCES;

(III) SUPPORT EMPLOYERS IN IMPLEMENTING WORK-BASED LEARNING IN COLLABORATION WITH THE COMMISSION AND IN ALIGNMENT WITH THE WORK-BASED LEARNING QUALITY EXPECTATIONS DEVELOPED IN SUBSECTION (5) OF THIS SECTION; AND

(IV) SUPPORT EMPLOYERS IN LEARNING ABOUT THE WORK-BASED LEARNING QUALITY EXPECTATIONS AND SHARE BEST PRACTICES FOR MEETING THE WORK-BASED LEARNING QUALITY EXPECTATIONS DEVELOPED IN SUBSECTION (5) OF THIS SECTION.

(2) **Department responsibilities.** THE DEPARTMENT SHALL:

(a) THROUGH AN APPLICATION PROCESS, SELECT EMPLOYERS AND AT LEAST TWO WORK-BASED LEARNING INTERMEDIARIES TO PARTICIPATE IN THE INCENTIVE PROGRAM WITH THE GOAL OF MAXIMIZING REGIONAL DIVERSITY AND ENGAGING THE OPTIMUM NUMBER OF EMPLOYER PARTICIPANTS IN HIGH-DEMAND INDUSTRIES AS DETERMINED BY THE ANNUAL COLORADO TALENT REPORT PREPARED PURSUANT TO SECTION 24-46.3-103 (3);

(b) FOR THE PURPOSE OF PROVIDING INCENTIVES TO EMPLOYERS TO PROVIDE WORK-BASED LEARNING OPPORTUNITIES TO YOUTH AND ADULTS, ALLOCATE MONEY DIRECTLY TO EMPLOYERS AND TO WORK-BASED LEARNING INTERMEDIARIES;

(c) OUTLINE PERFORMANCE EXPECTATIONS FOR WORK-BASED LEARNING INTERMEDIARIES AND EMPLOYERS PARTICIPATING IN THE INCENTIVE PROGRAM THAT INCLUDE THE AUTHORITY OF THE DEPARTMENT TO DISCONTINUE AN ENTITY'S PARTICIPATION IN THE INCENTIVE PROGRAM IF THE ENTITY FAILS TO MEET THE EXPECTATIONS;

(d) OUTLINE A SCALE FOR THE AMOUNT OF MONEY AWARDED TO AN EMPLOYER BASED ON CRITERIA SUCH AS THE DURATION OF WORK-BASED LEARNING EXPERIENCES, THE NUMBER OF PARTICIPANTS, GEOGRAPHY, BUSINESS SIZE, AND OTHER FACTORS;

(e) COLLECT DATA CONCERNING THE INCENTIVE PROGRAM THAT INCLUDES:

(I) THE WORK-BASED LEARNING INTERMEDIARIES PARTICIPATING IN THE INCENTIVE PROGRAM;

(II) THE NUMBER OF EMPLOYERS PARTICIPATING IN THE INCENTIVE PROGRAM;

(III) THE NUMBER OF WORK-BASED LEARNING OPPORTUNITIES PROVIDED BY EMPLOYERS AND THE NUMBER OF WORK-BASED LEARNING HOURS COMPLETED;

(IV) THE NUMBER OF WORK-BASED LEARNING OPPORTUNITIES THAT LED TO A JOB IN THE RESPECTIVE INDUSTRY;

(V) THE NUMBER OF YOUTH AND ADULT PARTICIPANTS IN THE INCENTIVE PROGRAM, INCLUDING EMPLOYEES, INTERNS, APPRENTICES, OR OTHER INDIVIDUALS WHO PARTICIPATED IN THE INCENTIVE PROGRAM;

(VI) THE DE-IDENTIFIED DEMOGRAPHIC INFORMATION OF THE INDIVIDUALS PARTICIPATING IN THE INCENTIVE PROGRAM, INCLUDING RACE, GEOGRAPHIC REGION OR ZIP CODE, AND WHETHER THE INDIVIDUALS MEET LOW-INCOME CRITERIA AS DETERMINED BY THE DEPARTMENT; AND

(VII) ANY OUTCOMES AND DATA TO MEASURE THE SUCCESS OF THE INCENTIVE PROGRAM, INCLUDING OUTCOMES RELATED TO EMPLOYERS THAT PARTICIPATED IN THE INCENTIVE PROGRAM AND SUBSEQUENTLY ADOPTED WORK-BASED LEARNING AS A BUSINESS PRACTICE BEYOND THE INCENTIVE PROGRAM'S DURATION.

(f) ENSURE THAT YOUTH AND ADULTS ARE MADE AWARE OF OPPORTUNITIES FOR THEM TO LEARN IN THE WORKPLACE AT THE SAME TIME AS EARNING AN INCOME THROUGH THE INCENTIVE PROGRAM;

(g) PROVIDE TECHNICAL ASSISTANCE AND PLANNING ASSISTANCE TO EMPLOYERS AND WORK-BASED LEARNING INTERMEDIARIES REGARDING THE WORK-BASED LEARNING QUALITY EXPECTATIONS DEVELOPED IN SUBSECTION (5) OF THIS SECTION; AND

(h) BEGINNING IN 2023 AND EACH YEAR THEREAFTER, SUBMIT A REPORT COMPILING THE DATA COLLECTED PURSUANT TO SUBSECTION (2)(e) OF THIS SECTION TO THE SENATE BUSINESS, LABOR, AND TECHNOLOGY COMMITTEE AND THE HOUSE OF REPRESENTATIVES BUSINESS AFFAIRS AND LABOR COMMITTEE, OR THEIR SUCCESSOR COMMITTEES, DURING THE HEARINGS HELD UNDER THE "STATE MEASUREMENT FOR ACCOUNTABLE, RESPONSIVE, AND TRANSPARENT (SMART) GOVERNMENT ACT", PART 2 OF ARTICLE 7 OF TITLE 2.

(3) **Selection as a work-based learning intermediary.** IN ORDER TO BE CONSIDERED BY THE DEPARTMENT FOR SELECTION AS A WORK-BASED LEARNING INTERMEDIARY, THE ENTITY SHALL SUBMIT AN APPLICATION TO THE DEPARTMENT IN A FORM AND MANNER ESTABLISHED BY THE DEPARTMENT, WHICH MUST BE A SIMPLIFIED APPLICATION DESIGNED TO MAXIMIZE EMPLOYER PARTICIPATION. IN THE APPLICATION, THE ENTITY SHALL:

(a) DEMONSTRATE THE ENTITY'S RECORD OF CONNECTING EMPLOYERS WITH LOCAL EDUCATION PROVIDERS, INSTITUTIONS OF HIGHER EDUCATION, OR OTHER TRAINING PROVIDERS SUCH AS REGISTERED APPRENTICESHIP PROGRAMS;

(b) OUTLINE HOW THE ENTITY PLANS TO BRING EMPLOYERS, LOCAL EDUCATION PROVIDERS, INSTITUTIONS OF HIGHER EDUCATION, OR OTHER TRAINING PROVIDERS SUCH AS REGISTERED APPRENTICESHIP PROGRAMS TOGETHER TO ACCOMPLISH THE PURPOSES OF THE INCENTIVE PROGRAM;

(c) OUTLINE HOW THE ENTITY WILL MEET OR EXCEED THE QUALITY EXPECTATIONS FOR WORK-BASED LEARNING ESTABLISHED BY THE OFFICE PURSUANT TO SUBSECTION (5) OF THIS SECTION; AND

(d) SUBMIT ANY OTHER INFORMATION DEEMED APPROPRIATE BY THE DEPARTMENT, INCLUDING AN ATTESTATION OF A COMMITMENT TO DIVERSITY, EQUITY, AND INCLUSION IN THE WORKPLACE.

(4) Responsibilities of work-based learning intermediaries. A WORK-BASED LEARNING INTERMEDIARY SHALL DIRECTLY FACILITATE WORK-BASED LEARNING OPPORTUNITIES WITH EMPLOYERS THROUGH INCENTIVE PAYMENTS MADE DIRECTLY TO EMPLOYERS FOR TECHNICAL ASSISTANCE, BUSINESS COACHING, AND OTHER TYPES OF SUPPORT. WORK-BASED LEARNING INTERMEDIARIES AND EMPLOYERS MAY USE INCENTIVE PAYMENTS FOR:

(a) START-UP MANAGEMENT COSTS FOR EMPLOYERS TO CREATE WORK-BASED LEARNING PROGRAMS, INCLUDING TRAINING FOR EMPLOYERS TO ESTABLISH AND MANAGE A WORK-BASED LEARNING PROGRAM;

(b) DEVELOPING AND PROVIDING PERSONALIZED PARTICIPANT SUPPORTS, INCLUDING TRANSPORTATION ASSISTANCE, AND PARTNERING WITH OTHER ENTITIES TO PROVIDE ACCESS TO OR REFERRALS FOR SUPPORTIVE SERVICES, LEARNING SUPPORTS, FINANCIAL ADVISING, AND OTHER TYPES OF SUPPORT TO ENSURE ADULTS AND YOUTH CAN PARTICIPATE IN WORK-BASED LEARNING;

(c) EDUCATING EMPLOYERS ON HOW TO WORK WITH LOCAL EDUCATION PROVIDERS AND INSTITUTIONS OF HIGHER EDUCATION TO CREATE CAREER-CONNECTED LEARNING PARTNERSHIPS;

(d) TRAINING COSTS, INCLUDING ENROLLMENT, REGISTRATION, AND COURSE FEES FOR PARTICIPATION IN CLASSROOM TRAINING AND CERTIFICATIONS ALIGNED WITH WORK-BASED LEARNING;

(e) PROVIDING INCENTIVES FOR EMPLOYERS WHO PARTICIPATE IN THE DELIVERY OF EDUCATION SERVICES;

(f) ANY SERVICES, RESOURCES, AND SUPPORT IDENTIFIED BY EMPLOYERS TO SUPPORT WORK-BASED LEARNING THAT ALIGN WITH THE PURPOSES OF THIS SECTION, INCLUDING FOSTERING REGIONAL PARTNERSHIPS BY SECTOR OR INDUSTRY AND HIRING A BUSINESS COACH OR OTHER INDIVIDUAL TO ACT AS A LIAISON BETWEEN A WORK-BASED LEARNING INTERMEDIARY AND EMPLOYERS RECEIVING INCENTIVE PAYMENTS; AND

(g) ENSURING ALIGNMENT WITH AND AVOIDING DUPLICATION OF EXISTING PROGRAMS AND, WHERE PRACTICABLE, LEVERAGING EXISTING RESOURCES.

(5) Work-based learning quality expectations. THE OFFICE, IN CONSULTATION WITH THE DEPARTMENT, THE COMMISSION, THE OFFICE OF ECONOMIC DEVELOPMENT, THE DEPARTMENT OF EDUCATION, THE DEPARTMENT OF HIGHER EDUCATION, THE STATE BOARD FOR COMMUNITY COLLEGES AND OCCUPATIONAL EDUCATION, AREA TECHNICAL COLLEGES, AND THE WORK FORCE DEVELOPMENT COUNCIL, SHALL:

(a) ON OR BEFORE SEPTEMBER 15, 2022, DEVELOP WORK-BASED LEARNING QUALITY EXPECTATIONS FOR YOUTH AND ADULTS, TAKING INTO CONSIDERATION:

(I) HOW THE EXPECTATIONS ALIGN WITH EMPLOYER NEEDS;

(II) EVIDENCE-BASED PRACTICES;

(III) THE POTENTIAL OUTCOMES OF WORK-BASED LEARNING OPPORTUNITIES FOR YOUTH AND ADULTS;

(IV) OPPORTUNITIES TO AWARD EDUCATIONAL CREDIT OR PAYMENT FOR WORK-BASED LEARNING EXPERIENCES;

(V) ALIGNMENT WITH THE MINIMUM STANDARDS SET BY THE FEDERAL DEPARTMENT OF LABOR OR THE STATE APPRENTICESHIP AGENCY, WHERE APPLICABLE; AND

(VI) GRADUATION AND COMPLETION RATES OF THE PROGRAMS, WHERE APPLICABLE; AND

(b) REVIEW AND REVISE THE WORK-BASED LEARNING QUALITY EXPECTATIONS EVERY FIVE YEARS, INCLUDING CONSIDERATION OF:

(I) THE RELEVANCE OF AND INNOVATIONS IN WORK-BASED LEARNING;

(II) WHETHER WORK-BASED LEARNING IS DYNAMIC AND RESPONSIVE TO THE NEEDS OF BUSINESS AND EDUCATION PARTNERS;

(III) HOW THE WORK-BASED LEARNING EXPERIENCES ALIGN WITH EMPLOYER EXPECTATIONS FOR ADULTS AND YOUTH IN HIGH-WAGE, HIGH-DEMAND JOBS; AND

(IV) THE QUALITY OF WORK-BASED LEARNING PROVIDED TO PARTICIPANTS IN THE INCENTIVE PROGRAM.

(6) **Appropriation.** FOR THE 2022-23 STATE FISCAL YEAR, THE GENERAL ASSEMBLY SHALL APPROPRIATE THREE MILLION DOLLARS FROM THE GENERAL FUND TO THE DEPARTMENT FOR THE PURPOSES OF THIS SECTION. ANY UNEXPENDED MONEY REMAINING AT THE END OF THE 2022-23 STATE FISCAL YEAR:

(a) DOES NOT REVERT TO THE GENERAL FUND OR ANY OTHER FUND;

(b) MAY BE USED BY THE DEPARTMENT IN THE 2023-24 STATE FISCAL YEAR WITHOUT FURTHER APPROPRIATION; AND

(c) SHALL NOT BE USED FOR ANY OTHER PURPOSE OTHER THAN THE PURPOSES SET FORTH IN THIS SECTION.

(7) **Rules.** THE EXECUTIVE DIRECTOR OF THE DEPARTMENT MAY PROMULGATE RULES TO IMPLEMENT THIS SECTION.

8-83-603. Statewide digital navigator program - office of future work - rules - appropriation. (1) ON OR BEFORE JANUARY 1, 2023, THE OFFICE SHALL CREATE A STATEWIDE DIGITAL NAVIGATOR PROGRAM. THE PURPOSE OF THE PROGRAM IS TO ADDRESS DIGITAL INEQUITIES THAT PREVENT YOUTH AND ADULTS FROM SECURING

EMPLOYMENT. TO ADDRESS DIGITAL INEQUITIES, THE PROGRAM MAY PROVIDE SERVICES AND SUPPORTS, INCLUDING ACCESS TO DIGITAL TECHNOLOGY, COMPUTER AND TECHNOLOGY SKILLS TRAINING, AND AFFORDABLE INTERNET SERVICE THROUGH THE EMPLOYMENT OF DIGITAL NAVIGATORS. THE OFFICE SHALL, THROUGH AN APPLICATION PROCESS, SELECT AT LEAST ONE ADMINISTERING ENTITY TO ADMINISTER THE DIGITAL NAVIGATOR PROGRAM. THE DIGITAL NAVIGATOR PROGRAM WILL DEPLOY DIGITAL NAVIGATORS TO:

(a) (I) CONDUCT OUTREACH TO TARGET POPULATIONS IN NEED OF INTERNET ACCESS, HARDWARE, SOFTWARE, AND DIGITAL SKILLS;

(II) PROVIDE TECHNOLOGY AND LITERACY SUPPORT TO TARGET POPULATIONS; AND

(III) CONNECT TARGET POPULATIONS TO RESOURCES IN ORDER TO REMOVE BARRIERS TO TRAINING AND EMPLOYMENT;

(b) MAKE REFERRALS TO AND FACILITATE ENROLLMENT OF TARGET POPULATIONS IN:

(I) DIGITAL LITERACY CLASSES AND WORKSHOPS;

(II) RESKILLING, UPSKILLING, AND NEXT-SKILLING OPPORTUNITIES;

(III) SUPPORT SERVICES;

(IV) BASIC LITERACY OR NUMERACY INSTRUCTION OR TUTORING;

(V) WORKFORCE DEVELOPMENT SERVICES; AND

(VI) WORK-BASED LEARNING OPPORTUNITIES, INCLUDING WORK-BASED LEARNING OPPORTUNITIES CREATED IN SECTION 8-83-602;

(c) CONNECT TARGET POPULATIONS TO LOW-COST INTERNET PROGRAMS AND RESOURCES;

(d) IDENTIFY AND HELP DISTRIBUTE THE NECESSARY TECHNOLOGIES TO TARGET POPULATIONS;

(e) PROVIDE AD HOC BASIC DIGITAL SKILLS SUPPORT TO TARGET POPULATIONS, INCLUDING:

(I) SETTING UP A COMPUTER;

(II) CONNECTING A DEVICE TO THE INTERNET; AND

(III) ASSISTING PEOPLE IN COMPLETING A JOB SEARCH, CREATING A PROFILE THROUGH THE MY COLORADO JOURNEY PLATFORM ADMINISTERED BY THE STATE WORK FORCE DEVELOPMENT COUNCIL, CREATING AN ACCOUNT WITH THE CONNECTING COLORADO STUDENTS GRANT PROGRAM CREATED IN ARTICLE 103 OF TITLE 23, AND APPLYING FOR PUBLIC BENEFITS THROUGH ONLINE APPLICATIONS;

(f) SERVE AS ON-THE-GROUND DATA COLLECTORS TO PROVIDE A DETAILED PICTURE OF COLORADO COMMUNITY NEEDS TO INFORM THE OFFICE AND ITS PARTNERS DESCRIBED IN SUBSECTION (3) OF THIS SECTION ON WHERE ADDITIONAL RESOURCES SHOULD BE INVESTED; AND

(g) ALIGN AND COORDINATE WITH OTHER NAVIGATOR PROGRAMS AND SERVICE PROVIDERS.

(2) IN ORDER TO BE CONSIDERED BY THE OFFICE FOR SELECTION AS THE ADMINISTERING ENTITY OF THE DIGITAL NAVIGATOR PROGRAM, AN ENTITY SHALL SUBMIT AN APPLICATION TO THE OFFICE, IN A FORM AND MANNER ESTABLISHED BY THE OFFICE, THAT:

(a) DEMONSTRATES THE ENTITY'S RECORD OF CONDUCTING OUTREACH TO A TARGET POPULATION OR MULTIPLE TARGET POPULATIONS;

(b) OUTLINES HOW THE ENTITY PLANS TO PARTNER WITH COMMUNITY ORGANIZATIONS THAT INCLUDE A PUBLIC SCHOOL, A PUBLIC OR MULTIFAMILY HOUSING AUTHORITY, A LIBRARY, A HEALTH-CARE PROVIDER, A COMMUNITY COLLEGE OR OTHER INSTITUTION OF HIGHER EDUCATION, A STATE LIBRARY AGENCY, A PUBLIC WORKFORCE CENTER, AND ANY OTHER NONPROFIT OR GOVERNMENTAL COMMUNITY SUPPORT ORGANIZATION, AS APPLICABLE, TO ACCOMPLISH THE PURPOSES OF THE PROGRAM; AND

(c) DESCRIBES THE ENTITY'S ADMINISTRATIVE CAPACITY TO SUCCESSFULLY ADMINISTER THE PROGRAM.

(3) THE OFFICE SHALL WORK COLLABORATIVELY WITH OTHER OFFICES AND DIVISIONS IN THE DEPARTMENT, THE DEPARTMENT OF HIGHER EDUCATION, THE DEPARTMENT OF EDUCATION, THE COLORADO BROADBAND OFFICE CREATED IN SECTION 24-37.5-903, THE DEPARTMENT OF HUMAN SERVICES, THE OFFICE OF EHEALTH INNOVATION IN THE GOVERNOR'S OFFICE, AND THE OFFICE OF ECONOMIC DEVELOPMENT TO IDENTIFY AND SUPPORT DIVERSE PARTNERS AND EMPLOYERS.

(4) (a) THE OFFICE SHALL SHARE OUTCOMES OF THE PROGRAM WITH PARTNERS DESCRIBED IN SUBSECTION (3) OF THIS SECTION AND COLLECT DATA CONCERNING THE PROGRAM THAT INCLUDES:

(I) THE OUTREACH ACTIVITIES CONDUCTED;

(II) THE NUMBER OF INDIVIDUALS SERVED BY THE NAVIGATORS AND THE DE-IDENTIFIED DEMOGRAPHICS OF THOSE INDIVIDUALS, INCLUDING RACE, GEOGRAPHIC REGION OR ZIP CODE, AND WHETHER THE INDIVIDUALS MEET LOW-INCOME CRITERIA AS DETERMINED BY THE DEPARTMENT; AND

(III) ANY OUTCOMES AND DATA TO MEASURE THE SUCCESS OF THE PROGRAM, INCLUDING SKILLS ATTAINMENT AND EMPLOYMENT ATTAINMENT.

(b) THE OFFICE SHALL INCLUDE THE OUTCOMES SHARED AND THE DATA COLLECTED PURSUANT TO THIS SUBSECTION (4) IN THE PRESENTATIONS REQUIRED BY SECTION 8-83-602 AT THE HEARINGS HELD UNDER THE "STATE MEASUREMENT

FOR ACCOUNTABLE, RESPONSIVE, AND TRANSPARENT (SMART) GOVERNMENT ACT", PART 2 OF ARTICLE 7 OF TITLE 2.

(5) FOR THE 2022-23 STATE FISCAL YEAR, THE GENERAL ASSEMBLY SHALL APPROPRIATE TWO MILLION DOLLARS FROM THE GENERAL FUND TO THE DEPARTMENT FOR USE BY THE OFFICE FOR THE PURPOSES OF THIS SECTION. ANY UNEXPENDED MONEY REMAINING AT THE END OF THE 2022-23 STATE FISCAL YEAR:

(a) DOES NOT REVERT TO THE GENERAL FUND OR ANY OTHER FUND;

(b) MAY BE USED BY THE DEPARTMENT IN THE 2023-24 STATE FISCAL YEAR WITHOUT FURTHER APPROPRIATION; AND

(c) SHALL NOT BE USED FOR ANY OTHER PURPOSE OTHER THAN THE PURPOSES SET FORTH IN THIS SECTION.

(6) THE EXECUTIVE DIRECTOR OF THE DEPARTMENT MAY PROMULGATE RULES TO IMPLEMENT THIS SECTION.

SECTION 3. In Colorado Revised Statutes, **repeal and reenact, with amendments**, 8-3.7-102 as follows:

8-3.7-102. Definitions. AS USED IN THIS ARTICLE 3.7, UNLESS THE CONTEXT OTHERWISE REQUIRES:

(1) "CAREER-ALIGNED ESL CLASSES" OR "CAREER-ALIGNED ENGLISH AS A SECOND LANGUAGE PROGRAM" MEANS A CURRICULUM OR CLASSES THAT SUPPORT SPECIFIC CAREERS OR OCCUPATIONS THROUGH THE ALIGNMENT OF EDUCATION, EMPLOYMENT, AND SKILLS PROGRAMS THAT ACCELERATE AN INDIVIDUAL'S ABILITY TO COMMUNICATE ON THE JOB OR IN THE PURSUIT OF A JOB.

(2) "CLASSES" INCLUDES VIRTUAL CLASSES WITH A LIVE TEACHER, RECORDED CLASSES, AND ADDITIONAL CURRICULUM AND OTHER SUPPORTS ASSOCIATED WITH LEARNING.

(3) "DEPARTMENT" MEANS THE DEPARTMENT OF LABOR AND EMPLOYMENT CREATED IN SECTION 24-1-121.

(4) "ENGLISH LANGUAGE LEARNER" OR "ELL" MEANS AN INDIVIDUAL WHO IS LINGUISTICALLY DIVERSE AND WHO HAS A LEVEL OF ENGLISH LANGUAGE PROFICIENCY THAT REQUIRES LANGUAGE SUPPORT.

(5) "IMMIGRANT" OR "NEW AMERICAN" MEANS A COLORADAN WHO HAS ARRIVED, OR AN INDIVIDUAL WHO WILL ARRIVE, TO COLORADO AS AN IMMIGRANT OR REFUGEE AND INCLUDES THE INDIVIDUAL'S CHILDREN. "IMMIGRANT" OR "NEW AMERICAN" INCLUDES: REFUGEES, ASYLEES, SPECIAL IMMIGRANT VISA HOLDERS, VICTIMS OF TRAFFICKING, RECIPIENTS OF THE FEDERAL DEFERRED ACTION FOR CHILDHOOD ARRIVALS PROGRAM, AND ALL OTHER IMMIGRANTS AND ASPIRING CITIZENS SEEKING OPPORTUNITY, SAFETY, OR REUNIFICATION OF FAMILY.

(6) "INTEGRATION" MEANS A DYNAMIC, TWO-WAY PROCESS IN WHICH

IMMIGRANTS AND NEW AMERICANS AND THE RECEIVING COMMUNITY WORK TOGETHER TO BUILD SECURE, VIBRANT, AND COHESIVE COMMUNITIES WITHOUT HAVING TO FOREGO THEIR OWN CULTURAL IDENTITY.

(7) "ONA" MEANS THE COLORADO OFFICE OF NEW AMERICANS CREATED IN SECTION 8-3.7-103.

(8) "TASK FORCE" MEANS THE GLOBAL TALENT TASK FORCE CREATED BY ONA IN SECTION IN 8-3.7-107.

(9) "WORK-BASED LEARNING" HAS THE SAME MEANING AS SET FORTH IN SECTION 8-83-601 (15).

(10) "WORKFORCE PARTNERS" INCLUDES ENTITIES THAT PROVIDE WORK-BASED LEARNING OPPORTUNITIES, JOB TRAINING, AND OTHER SUPPORTS THAT ENABLE INDIVIDUALS TO CONNECT WITH IN-DEMAND JOBS, INDUSTRIES, AND OCCUPATIONS.

SECTION 4. In Colorado Revised Statutes, **add** 8-3.7-106 and 8-3.7-107 as follows:

8-3.7-106. Virtual, career-aligned English as a second language program - created - report - appropriation. (1) ON OR BEFORE JANUARY 1, 2023, THE ONA SHALL ESTABLISH A VIRTUAL, CAREER-ALIGNED ENGLISH AS A SECOND LANGUAGE PROGRAM TO:

(a) ENSURE ELLS HAVE ACCESS TO WORK-BASED LEARNING, JOB-TRAINING, AND EMPLOYMENT OPPORTUNITIES AND THE SUPPORTS THEY NEED FOR SUCCESS IN THE CAREER-ALIGNED ENGLISH AS A SECOND LANGUAGE PROGRAM AND EMPLOYMENT WITH WORKFORCE PARTNERS AND EMPLOYERS;

(b) FACILITATE WORK-BASED LEARNING BY PROVIDING ADDITIONAL SUPPORT TO HELP EMPLOYERS AND OTHER WORKFORCE PARTNERS RECRUIT, SERVE, HIRE, AND PROMOTE ELLS;

(c) PROVIDE EFFICIENT AND EFFECTIVE ACCESS TO ESTABLISHED, CAREER-ALIGNED ESL CLASSES FOR YOUTH AND ADULTS, WORK-BASED LEARNING PARTICIPANTS, AND OTHER JOB TRAINING PARTICIPANTS AND THEIR EMPLOYERS, PROGRAM ADMINISTRATORS, AND TEACHERS;

(d) STREAMLINE ACCESS TO CAREER-ALIGNED ESL CLASSES THROUGH THE PURCHASE OF LICENSES TO VIRTUAL PLATFORMS THAT ARE THEN MADE AVAILABLE TO INTERESTED WORKFORCE PARTNERS AND EMPLOYERS; AND

(e) ACCELERATE THE ADOPTION OF CAREER-ALIGNED ESL CLASSES INTO EMPLOYER AND WORK-BASED LEARNING PROGRAMS AND TRAINING PROGRAMS FOR RESKILLING, UPSKILLING, AND NEXT-SKILLING, AS THOSE TERMS ARE DEFINED IN SECTION 8-83-601.

(2) THE VIRTUAL, CAREER-ALIGNED ENGLISH AS A SECOND LANGUAGE PROGRAM SHALL ADDRESS:

(a) THE INTERSECTION OF ENGLISH LANGUAGE LEARNING WITH OTHER WORK-BASED LEARNING AND SKILL-BASED HIRING EFFORTS;

(b) THE CHALLENGE OF INCORPORATING ELLS INTO OUR WORKFORCE AND WORKFORCE PROGRAMS, INCLUDING WORK-BASED LEARNING OPPORTUNITIES; AND

(c) OPPORTUNITIES FOR EMPLOYERS TO INTEGRATE NEW AMERICANS AND ELLS INTO WORKFORCE AND TALENT PIPELINES, IN RECOGNITION OF THE NEED FOR EQUITABLE OPPORTUNITIES AND THE IMPORTANCE OF HARNESSING THE TALENTS OF SKILLED NEW AMERICANS AND ELLS IN THIS STATE.

(3) (a) THE ONA SHALL:

(I) THROUGH A PROCESS THAT COMPLIES WITH THE "PROCUREMENT CODE", ARTICLES 101 TO 112 OF TITLE 24, SELECT AT LEAST ONE QUALIFIED VENDOR WITH AN ESTABLISHED AND EXISTING VIRTUAL PLATFORM THAT OFFERS CAREER-ALIGNED ESL CLASSES IN IN-DEMAND INDUSTRIES AND OCCUPATIONS;

(II) ALLOCATE FUNDING TO THE VENDOR SELECTED IN SUBSECTION (3)(a)(I) OF THIS SECTION:

(A) FOR THE PURCHASE OF INDIVIDUAL LICENSES THAT CAN BE DISTRIBUTED TO INTERESTED AND SELECTED EMPLOYERS AND WORK-BASED LEARNING AND WORKFORCE PARTNERS FOR INDIVIDUALS TO ACCESS VIRTUAL CLASSES AND PLATFORMS; AND

(B) TO CREATE NEW CAREER-ALIGNED ESL CLASSES, AS NEEDED, FOR COLORADO'S IN-DEMAND OCCUPATIONS;

(III) DETERMINE THE MOST EFFICIENT METHOD FOR DISTRIBUTING LICENSES FOR CAREER-ALIGNED ESL CLASSES THROUGH A STREAMLINED PROCESS TO REDUCE BARRIERS TO PARTICIPATION, WITH A FOCUS ON SMALL- TO MEDIUM-SIZED EMPLOYERS AND WORK-BASED LEARNING AND WORKFORCE PARTNERS WITH EXISTING RELATIONSHIPS WITH THE DEPARTMENT AND ON OTHER STATE AGENCIES AND PARTNERS, INCLUDING LOCAL WORKFORCE CENTERS, SCHOOLS, INSTITUTIONS OF HIGHER EDUCATION, AND NONPROFIT ORGANIZATIONS;

(IV) COMMUNICATE THE OPPORTUNITIES CREATED THROUGH THIS SECTION HOLISTICALLY AND STATEWIDE, WITH A FOCUS ON AREAS OF THE STATE WITH HIGHER PROPORTIONS OF ELLS AND NEW AMERICANS AND IN AREAS WITHOUT EXISTING CAREER-ALIGNED ESL CLASSES OR WITH ADDITIONAL BARRIERS, SUCH AS TRANSPORTATION BARRIERS, THAT CURRENTLY PREVENT COLORADANS FROM PARTICIPATING IN ESL CLASSES, INCLUDING IN RURAL AREAS;

(V) WORK COLLABORATIVELY WITH OTHER OFFICES AND DIVISIONS IN THE DEPARTMENT, THE DEPARTMENT OF HIGHER EDUCATION, THE DEPARTMENT OF HUMAN SERVICES, AND THE OFFICE OF ECONOMIC DEVELOPMENT TO IDENTIFY DIVERSE PARTNERS AND EMPLOYERS AND ADDITIONAL SUPPORTS FOR PARTICIPANTS TO ENSURE THEIR SUCCESS;

(VI) SHARE OUTCOMES OF THE VIRTUAL CAREER-ALIGNED ENGLISH AS A SECOND

LANGUAGE PROGRAM WITH THE EMPLOYER COMMUNITY; AND

(VII) COLLECT DATA CONCERNING THE PROGRAM THAT INCLUDES:

(A) THE TYPES OF ENTITIES SUPPORTED, SUCH AS AN EMPLOYER OR APPRENTICESHIP PROGRAM, AND THEIR LOCATION IN COLORADO;

(B) THE NUMBER OF PARTICIPATING ENTITIES;

(C) THE NUMBER OF INDIVIDUALS SERVED AT EACH ENTITY AND THEIR DEMOGRAPHICS;

(D) THE CAREERS OR OCCUPATIONS SUPPORTED BY THE VIRTUAL CAREER-ALIGNED ENGLISH AS A SECOND LANGUAGE PROGRAM; AND

(E) ANY OUTCOMES AND DATA TO MEASURE THE SUCCESS OF THE VIRTUAL CAREER-ALIGNED ENGLISH AS A SECOND LANGUAGE PROGRAM.

(b) IN CONJUNCTION WITH THE DEPARTMENT, THE ONA SHALL INCLUDE THE INFORMATION IN THIS SUBSECTION (3) IN THE PRESENTATIONS REQUIRED BY SECTION 8-83-602 AT THE HEARINGS HELD UNDER THE "STATE MEASUREMENT FOR ACCOUNTABLE, RESPONSIVE, AND TRANSPARENT (SMART) GOVERNMENT ACT", PART 2 OF ARTICLE 7 OF TITLE 2.

(4) FOR THE 2022-23 STATE FISCAL YEAR THE GENERAL ASSEMBLY SHALL APPROPRIATE ONE MILLION ONE HUNDRED THOUSAND DOLLARS FROM THE GENERAL FUND TO THE DEPARTMENT, FOR USE BY ONA FOR THE PURPOSES OF THIS SECTION. ANY UNEXPENDED MONEY REMAINING AT THE END OF THE 2022-23 STATE FISCAL YEAR:

(a) DOES NOT REVERT TO THE GENERAL FUND OR ANY OTHER FUND;

(b) MAY BE USED BY THE DEPARTMENT IN THE 2023-24 STATE FISCAL YEAR WITHOUT FURTHER APPROPRIATION; AND

(c) SHALL NOT BE USED FOR ANY OTHER PURPOSE OTHER THAN THE PURPOSES SET FORTH IN THIS SECTION.

8-3.7-107. Global talent task force - created - repeal. (1) ON OR BEFORE SEPTEMBER 1, 2022, THE ONA SHALL ESTABLISH A GLOBAL TALENT TASK FORCE THAT INCLUDES DIVERSE REPRESENTATION REFLECTIVE OF THE STATE. THE TASK FORCE SHALL:

(a) STUDY THE PATHWAYS FOR OBTAINING CERTAIN IN-DEMAND OCCUPATIONAL LICENSES AND INTERNATIONAL CREDENTIALS TO TAKE ADVANTAGE OF THE GLOBAL POOL OF SKILLED WORKERS IN COLORADO. THE TASK FORCE SHALL CHOOSE AT LEAST FIVE OCCUPATIONS THAT ARE RESPONSIVE TO WORKFORCE NEEDS, AS DETERMINED BY THE ANNUAL COLORADO TALENT REPORT PREPARED PURSUANT TO SECTION 24-46.6-103 (3), AND THAT ARE OCCUPATIONS IN WHICH THE STATE HAS THE NEED FOR AND AN ABILITY TO PROVIDE OVERSIGHT, INCLUDING OCCUPATIONS IN EARLY CHILDHOOD EDUCATION AND CARE, EDUCATION, AND HEALTH CARE, WITH

A PRIORITY GIVEN TO THE PRACTICE OF NURSING.

(b) ACCELERATE AND EXPAND WORK THAT THE DEPARTMENT AND OTHER STATE AGENCIES HAVE DONE TO INTEGRATE NEW AMERICANS AND INTERNATIONALLY TRAINED PROFESSIONALS INTO THE WORKFORCE; AND

(c) PROVIDE POLICY AND PROGRAMMATIC RECOMMENDATIONS TO THE GOVERNOR AND THE GENERAL ASSEMBLY TO INCREASE THE ABILITY OF THE STATE TO HARNESS THE SKILLS OF NEW AMERICANS, INCLUDING THROUGH WORK-BASED LEARNING OPPORTUNITIES.

(2) THE ONA SHALL PROVIDE ADMINISTRATIVE STAFF TO SUPPORT THE TASK FORCE.

(3) (a) ON OR BEFORE SEPTEMBER 1, 2022:

(I) THE DIRECTOR OF THE ONA SHALL APPOINT TWELVE MEMBERS OF THE TASK FORCE AS FOLLOWS:

(A) THREE INTERNATIONALLY TRAINED PROFESSIONALS;

(B) THREE REPRESENTATIVES OF COMMUNITY-BASED ORGANIZATIONS OR COALITIONS SERVING NEW AMERICANS AND INTERNATIONALLY TRAINED PROFESSIONALS;

(C) ONE REPRESENTATIVE OF WORK-BASED LEARNING PROGRAMS OR PROVIDERS OF EXPERIENTIAL LEARNING OPPORTUNITIES;

(D) ONE REPRESENTATIVE OF EMPLOYERS PARTICIPATING IN A WORK-BASED LEARNING PROGRAM;

(E) TWO REPRESENTATIVES OF IN-DEMAND INDUSTRIES, SUCH AS EDUCATION OR HEALTH CARE;

(F) ONE REPRESENTATIVE OF LOCAL DISTRICT COLLEGES; AND

(G) ONE REPRESENTATIVE OF THE STATE WORK FORCE DEVELOPMENT COUNCIL CREATED IN SECTION 24-46.3-101.

(II) THE PRESIDENT OF THE SENATE SHALL APPOINT TWO MEMBERS OF THE SENATE TO THE TASK FORCE, ONE OF WHOM REPRESENTS RURAL COMMUNITIES;

(III) THE SPEAKER OF THE HOUSE OF REPRESENTATIVES SHALL APPOINT TWO MEMBERS OF THE HOUSE OF REPRESENTATIVES TO THE TASK FORCE, ONE OF WHOM REPRESENTS RURAL COMMUNITIES;

(IV) THE MINORITY LEADER OF THE SENATE SHALL APPOINT ONE MEMBER OF THE SENATE TO THE TASK FORCE;

(V) THE MINORITY LEADER OF THE HOUSE OF REPRESENTATIVES SHALL APPOINT ONE MEMBER OF THE HOUSE OF REPRESENTATIVES TO THE TASK FORCE; AND

(VI) THE GOVERNOR SHALL APPOINT ONE REPRESENTATIVE OF THE OFFICE OF THE GOVERNOR.

(b) THE TASK FORCE ALSO CONSISTS OF:

(I) THE EXECUTIVE DIRECTOR OF THE DEPARTMENT OR THE EXECUTIVE DIRECTOR'S DESIGNEE;

(II) THE EXECUTIVE DIRECTOR OF THE DEPARTMENT OF REGULATORY AGENCIES OR THE EXECUTIVE DIRECTOR'S DESIGNEE;

(III) THE EXECUTIVE DIRECTOR OF THE DEPARTMENT OF HIGHER EDUCATION OR THE EXECUTIVE DIRECTOR'S DESIGNEE;

(IV) THE COMMISSIONER OF EDUCATION OR THE COMMISSIONER'S DESIGNEE; AND

(V) THE EXECUTIVE DIRECTOR OF THE DEPARTMENT OF EARLY CHILDHOOD EDUCATION OR THE EXECUTIVE DIRECTOR'S DESIGNEE.

(c) THE ONA MAY, AS APPROPRIATE, PROVIDE A FIFTY-DOLLAR STIPEND TO EACH TASK FORCE MEMBER PER TASK FORCE MEETING THAT THE MEMBER ATTENDS TO RECOGNIZE THE TASK FORCE MEMBERS WHO ARE NOT OTHERWISE COMPENSATED FOR THE TIME SERVED ON THE TASK FORCE.

(4) ON OR BEFORE DECEMBER 31, 2023, THE TASK FORCE SHALL REPORT ITS FINDINGS AND RECOMMENDATIONS MADE PURSUANT TO THIS SECTION TO THE OFFICE OF THE GOVERNOR AND TO THE GENERAL ASSEMBLY AND SHALL MAKE THE REPORT AVAILABLE TO THE PUBLIC.

(5) THIS SECTION IS REPEALED, EFFECTIVE DECEMBER 31, 2024.

SECTION 5. In Colorado Revised Statutes, **amend** 8-77-110 as follows:

8-77-110. Office of future work - study - report. (1) The office of future of work in the department of labor and employment, created by executive order B 2019 009, shall, within the scope of the executive order, study unemployment assistance as part of its study on the modernization of worker benefits and protections.

(2) On or before January 15, 2021, the office of the future of work shall submit an initial report as directed by the executive order B 2019 009 to the governor and to the business, labor, and technology committee of the senate and the business affairs and labor committee of the house of representatives, or their successor committees.

SECTION 6. In Colorado Revised Statutes, 22-10-103, **add** (10.5) as follows:

22-10-103. Definitions. As used in this article 10, unless the context otherwise requires:

(10.5) "WORK-BASED LEARNING" HAS THE SAME MEANING AS SET FORTH IN SECTION 8-83-601 (15).

SECTION 7. In Colorado Revised Statutes, 22-10-104, **amend** (1)(d) as follows:

22-10-104. Adult education and literacy grant program - created - rules.

(1) (d) An adult education provider may use grant money received pursuant to this article 10 in combination with any money received from other public or private sources. An adult education provider may use grant money received pursuant to this article 10 on behalf of a student who:

(I) Lacks basic literacy or numeracy skills; ~~or who~~

(II) Is enrolled in or has completed the adult education and literacy program; ~~or~~

(III) Is receiving training from a postsecondary education or training provider or from a workforce development provider that participates in a workforce development partnership with the adult education provider; OR

(IV) IS PARTICIPATING IN WORK-BASED LEARNING.

SECTION 8. In Colorado Revised Statutes, 22-14-102, **amend** the introductory portion; and **add** (18) as follows:

22-14-102. Definitions. As used in this ~~article~~ ARTICLE 14, unless the context otherwise requires:

(18) "WORK-BASED LEARNING" HAS THE SAME MEANING AS SET FORTH IN SECTION 8-83-601 (15).

SECTION 9. In Colorado Revised Statutes, 22-14-109, **amend** (1) as follows:

22-14-109. Student re-engagement grant program - rules - application - grants - report. (1) There is hereby created within the department the student re-engagement grant program to provide grant money to local education providers to use in providing educational services and supports, INCLUDING WORK-BASED LEARNING, to students to maintain student engagement and support student re-engagement in high school. Subject to available appropriations, the state board shall award student re-engagement grants to local education providers from money appropriated pursuant to subsection (4) of this section.

SECTION 10. In Colorado Revised Statutes, 22-14-109.5, **amend** (5)(d) as follows:

22-14-109.5. Ninth-grade success grant program - created - criteria - use of grant money - report - rules - definitions - repeal. (5) A local education provider or charter school that receives a grant through the program must use the grant money to implement a ninth-grade success program that, at a minimum, must include the following elements:

(d) Identifying and prioritizing services, SUCH AS WORK-BASED LEARNING, for ninth-grade students who are at risk of academic failure in ninth grade;

SECTION 11. In Colorado Revised Statutes, 22-32-138.5, **amend** (2)

introductory portion, (2)(b)(II), (2)(b)(VIII), (2)(b)(IX), and (2)(b)(X); and **add** (2)(b)(XI) as follows:

22-32-138.5. Educational stability grant program - application - grants - fund created - rules - report - definition. (2) The state board of education shall adopt rules pursuant to the "State Administrative Procedure Act", article 4 of title 24, for implementation of the grant program. At a minimum, the rules ~~shall~~ **MUST** include:

(b) The information to be included on grant applications, including at a minimum:

(II) A description of services to be provided through the grant, including a description of innovative practices to address barriers for students; ~~in out-of-home placement;~~

(VIII) The provision of services for students ~~in out-of-home placement~~ who receive special education services;

(IX) Access to extracurricular activities for students ~~in out-of-home placement;~~ **and WHO RECEIVE SPECIAL EDUCATION SERVICES;**

(X) Transition practices relating to school moves for students; ~~in out-of-home placement.~~ **AND**

(XI) (A) **ENGAGEMENT IN ACADEMIC SUPPORTS, SUCH AS WORK-BASED LEARNING.**

(B) **AS USED IN THIS SUBSECTION (2)(b)(XI), "WORK-BASED LEARNING" HAS THE SAME MEANING AS SET FORTH IN SECTION 8-83-601 (15).**

SECTION 12. In Colorado Revised Statutes, 22-35.3-102, **add** (12) as follows:

22-35.3-102. Definitions. As used in this article 35.3, unless the context otherwise requires:

(12) **"WORK-BASED LEARNING" HAS THE SAME MEANING AS SET FORTH IN SECTION 8-83-601 (15).**

SECTION 13. In Colorado Revised Statutes, 22-35.3-103, **amend** (2) introductory portion and (2)(b) as follows:

22-35.3-103. Pathways in technology early college high schools - design - requirements - approval. (2) A p-tech school to be operated by a local education provider must be jointly approved by the commissioner of education and the executive director of the department of higher education. The commissioner and the executive director shall jointly establish ~~time lines~~ **TIMELINES** and procedures by which a local education provider may apply to operate a p-tech school and shall develop a model p-tech agreement template that may be used by an applicant. The application must include:

(b) The operational model for the p-tech school, including but not limited to curricula, instructional practices, faculty roles, student support structures, class schedules, experiential learning opportunities, WORK-BASED LEARNING, and the associate degrees that students may attain through the p-tech school;

SECTION 14. In Colorado Revised Statutes, 22-91-102, **add** (9) as follows:

22-91-102. Definitions. As used in this article 91, unless the context otherwise requires:

(9) "WORK-BASED LEARNING" HAS THE SAME MEANING AS SET FORTH IN SECTION 8-83-601 (15).

SECTION 15. In Colorado Revised Statutes, 22-91-103, **amend** (1)(a) as follows:

22-91-103. School counselor corps grant program - created - rules.

(1)(a) There is created in the department the school counselor corps grant program to provide funding to education providers. The ~~goal~~ GOALS of the program ~~is~~ ARE to:

(I) Increase the availability of effective school-based counseling to help increase the graduation rate within the state and increase the percentage of students who appropriately prepare for, apply to, and continue into postsecondary education; AND

(II) SUPPORT WORK-BASED LEARNING AWARENESS AND EDUCATION FOR STUDENTS AT THE MIDDLE SCHOOL AND HIGH SCHOOL LEVELS AND WORK-BASED LEARNING OPPORTUNITIES AT THE HIGH SCHOOL LEVEL.

SECTION 16. In Colorado Revised Statutes, 23-3.3-1002, **add** (10) as follows:

23-3.3-1002. Definitions. As used in this part 10, unless the context otherwise requires:

(10) "WORK-BASED LEARNING" HAS THE SAME MEANING AS SET FORTH IN SECTION 8-83-601 (15).

SECTION 17. In Colorado Revised Statutes, 23-3.3-1004, **amend** (4) introductory portion, (4)(a)(III)(D), and (4)(a)(III)(E); and **add** (4)(a)(III)(F) as follows:

23-3.3-1004. Colorado opportunity scholarship initiative advisory board - created - duties - rules - repeal. (4) ~~The board shall hold its first meeting on or before November 1, 2014, at a time and place to be designated by the executive director or by the executive director's designee.~~ The board shall meet at least four times each year and shall carry out the following duties:

(a) Promulgate rules for administration of the initiative, including but not limited to the following:

(III) Rules establishing permissible uses of grant and scholarship money from the

initiative, which rules must stipulate that:

(D) To the extent practicable, grants of financial assistance must be awarded to students representing rural and urban areas of the state and to students attending area technical colleges, community colleges, four-year institutions of higher education, and research institutions; ~~and~~

(E) To the extent practicable, financial assistance must be evenly distributed between students with an expected family contribution of less than one hundred percent of the annual federal PELL grant award and students with an expected family contribution between one hundred percent and two hundred fifty percent of the annual federal PELL grant award; AND

(F) TO THE EXTENT PRACTICABLE, GRANT AND SCHOLARSHIP MONEY MAY BE USED FOR WORK-BASED LEARNING;

SECTION 18. In Colorado Revised Statutes, 23-3.3-1303, **amend** (1)(b) as follows:

23-3.3-1303. Fourth-year innovation pilot program - creation - eligibility - award of state funding - commission policies. (1) (b) The pilot program is limited to ~~five~~ local education providers or group of providers with the first cohort of graduates graduating early during the 2021-22 school year and the last cohort of graduates graduating early during the 2025-26 school year. EACH YEAR OF THE PROGRAM, a local education provider or a group of local education providers may apply to the department to participate in the pilot program. A SCHOOL OR LOCAL EDUCATION PROVIDER APPROVED BY THE DEPARTMENT MAY BE ADDED TO AN EXISTING GROUP OF LOCAL EDUCATION PROVIDERS. The commission shall select pilot program participants, including a mix of urban, suburban, and rural local education providers. In the pilot program application, the applicant or applicants shall indicate which high schools are participating in the pilot program. With approval of the charter school, a school district that is selected to participate in the pilot program may also include a charter school authorized by the school district as one of its designated high schools.

SECTION 19. In Colorado Revised Statutes, 24-46.3-602, **amend** (3) as follows:

24-46.3-602. Definitions. As used in this part 6 and part 7 of this article 46.3, unless the context otherwise requires:

(3) "Incumbent worker" means a worker who ~~qualifies as an incumbent worker under 20 CFR 680.780~~ IS CURRENTLY EMPLOYED AND EXPECTS TO REMAIN EMPLOYED BY THE SAME EMPLOYER DURING AND AFTER PARTICIPATION IN A TRAINING PROGRAM OR TRAINING OPPORTUNITY.

SECTION 20. Appropriation. (1) For the 2022-23 state fiscal year, \$6,100,000 is appropriated to the department of labor and employment. This appropriation is from the general fund. To implement this act, the department may use this appropriation as follows:

(a) \$3,000,000 for state operations and program costs, which amount is based on

an assumption that the division of employment and training will require an additional 2.3 FTE;

(b) \$2,000,000 for the office of future work, which amount is based on an assumption that the executive director's office will require an additional 0.9 FTE; and

(c) \$1,100,000 for the office of new Americans, which amount is based on an assumption that the executive director's office will require an additional 1.9 FTE.

(2) Any money appropriated in this subsection (1) not expended prior to July 1, 2023, is further appropriated to the department for the 2023-24 state fiscal year for the same purpose.

(3) For the 2022-23 state fiscal year, \$11,319 is appropriated to the legislative department for use by the general assembly. This appropriation is from the general fund. To implement this act, the general assembly may use this appropriation for per diem and travel reimbursement expenses.

SECTION 21. Effective date. This act takes effect July 1, 2022.

SECTION 22. 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.

Approved: June 3, 2022