

First Regular Session
Seventy-fourth General Assembly
STATE OF COLORADO

INTRODUCED

LLS NO. 23-0189.01 Alana Rosen x2606

SENATE BILL 23-003

SENATE SPONSORSHIP

Buckner and Gardner,

HOUSE SPONSORSHIP

Weissman,

Senate Committees
Education

House Committees

A BILL FOR AN ACT

101 CONCERNING A COLORADO DEPARTMENT OF EDUCATION PARTNERSHIP
102 WITH A NONPROFIT ENTITY TO CREATE A PROGRAM FOR ADULT
103 EDUCATION.

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 creates the Colorado adult high school program (program) in the office responsible for adult education within the department of education (department). The purpose of the program is to create a pathway for Coloradans who are 21 years of age or older and do not have a high school diploma to attend high school and earn a diploma at no cost.

Shading denotes HOUSE amendment. Double underlining denotes SENATE amendment.
Capital letters or bold & italic numbers indicate new material to be added to existing law.
Dashes through the words or numbers indicate deletions from existing law.

Students may also earn industry-recognized certificates or college credits at no cost.

The bill requires the department to partner with a Colorado community-based nonprofit organization (organization) to operate the program. The department is required to select an organization to act as the education provider for the program. The education provider is required to:

- Secure and maintain a building for the program;
- Contribute funding annually for operating and facility costs;
- Hire educators and school personnel, including life coaches who help students navigate academic and personal challenges;
- Establish an academic accountability system with the approval of the department;
- Establish minimum graduation requirements;
- Award Colorado high school diplomas to students who successfully complete the program;
- Use an evidence-based educational model that has proven effective through a randomized control trial or an experimental study;
- Develop in-person courses;
- Develop online courses for students who take classes in person but demonstrate academic readiness for remote course work;
- Consult with a nonprofit organization that has successfully implemented an evidence-based educational model for adults in another state;
- Serve all students, regardless of immigration status;
- Enroll no more than 400 students at one time;
- Comply with state and federal laws concerning students with disabilities, including students with accommodations pursuant to section 504 of the federal "Rehabilitation Act of 1973";
- Create individualized education programs for students with disabilities;
- Collaborate with local district colleges, community colleges, area technical colleges, or local career and technical education programs to ensure access to courses that can lead students to graduate with industry-recognized certificates;
- Fund industry-recognized certificate programs at no cost to students;
- Create a plan to authorize teachers to teach courses for college credit;

- Operate a licensed, on-site child care center for students with children; and
- Offer transportation assistance to students who enroll in the program.

The department is required to establish a fair and transparent request for proposal process in order to select an organization to operate the program. The request for proposal process must include input from the office within the department responsible for adult education.

The request for proposals must include:

- A plan for student enrollment, including students with disabilities;
- A plan to secure and maintain a building;
- Proposed curriculum and academic accountability standards for a student-centered course of study that can result in a Colorado high school diploma;
- Evidence of the effectiveness of the evidence-based educational model to be implemented by the program;
- A plan to hire and maintain a staff of educators and other school personnel;
- Proof of access to the money annually required to sustain the program;
- A plan to establish and operate an on-site licensed child care center; and
- A plan to offer transportation services to students.

On or before July 31, 2025, and every July 31 thereafter, an education provider is required to report to the department on the status of the program. On or before November 30, 2025, and every November 30 thereafter, the department is required to report the status of the program to the house of representatives education committee and the senate education committee, or their successor committees, including but not limited to:

- Student demographic data disaggregated by race, ethnicity, socioeconomic status, age, gender, and disability;
- Accountability measure outcomes; and
- The number of industry-recognized certificates, college credits, and overall average credit attainment that students earn each term.

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

2 **SECTION 1.** In Colorado Revised Statutes, **add** part 2 of article
3 10 of title 22 as follows:

4 **PART 2**

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COLORADO ADULT
HIGH SCHOOL PROGRAM

22-10-201. Definitions. AS USED IN THIS PART 2, UNLESS THE
CONTEXT OTHERWISE REQUIRES:

(1) "ADULT HIGH SCHOOL STUDENT" OR "STUDENT" MEANS AN
ADULT WHO:

(a) HAS REACHED TWENTY-ONE YEARS OF AGE BEFORE THE PUPIL
ENROLLMENT COUNT DATE, AS DEFINED IN SECTION 22-54-103 (10.5);

(b) HAS REACHED TWENTY-ONE YEARS OF AGE DURING THE
SEMESTER THAT INCLUDES THE PUPIL ENROLLMENT COUNT DAY AS
DEFINED IN SECTION 22-54-103 (10.5) BUT DOES NOT RECEIVE SERVICES
UNDER AN INDIVIDUALIZED EDUCATION PROGRAM AS DEFINED IN SECTION
22-20-103 (15); OR

(c) IS OLDER THAN TWENTY-ONE YEARS OF AGE; AND

(d) IS ENROLLED IN THE COLORADO ADULT HIGH SCHOOL PROGRAM
AS DEFINED IN SUBSECTION (2) OF THIS SECTION.

(2) "COLORADO ADULT HIGH SCHOOL PROGRAM" OR "PROGRAM"
MEANS THE COLORADO ADULT HIGH SCHOOL PROGRAM CREATED IN
SECTION 22-10-202.

(3) "COLORADO COMMUNITY-BASED NONPROFIT ORGANIZATION"
OR "NONPROFIT ORGANIZATION" MEANS A COLORADO COMMUNITY-BASED,
TAX-EXEMPT CHARITABLE OR SOCIAL WELFARE ORGANIZATION OPERATING
UNDER SECTION 501(c)(3) OR 501(c)(4) OF THE FEDERAL "INTERNAL
REVENUE CODE OF 1986", 26 U.S.C. SEC. 501, AS AMENDED.

(4) "DEPARTMENT" MEANS THE DEPARTMENT OF EDUCATION
CREATED AND EXISTING PURSUANT TO SECTION 24-1-115.

(5) "EDUCATION PROVIDER" MEANS A COLORADO

1 COMMUNITY-BASED NONPROFIT ORGANIZATION THAT CONTRACTS WITH
2 THE DEPARTMENT.

3 (6) "OFFICE" MEANS THE OFFICE WITHIN THE DEPARTMENT THAT
4 IS RESPONSIBLE FOR ADULT EDUCATION.

5 (7) "RESIDENT" MEANS ANY INDIVIDUAL WHO IS LIVING, OTHER
6 THAN TEMPORARILY, WITHIN THE STATE VOLUNTARILY AND MAKES THE
7 STATE THE RESIDENT'S HOME.

8 (8) "STATE BOARD" MEANS THE STATE BOARD OF EDUCATION
9 CREATED IN SECTION 1 OF ARTICLE IX OF THE STATE CONSTITUTION.

10 **22-10-202. Colorado adult high school program - created -**

11 **standards - appropriation.** (1) (a) THERE IS CREATED IN THE OFFICE THE
12 COLORADO ADULT HIGH SCHOOL PROGRAM. THE PURPOSE OF THE
13 PROGRAM IS TO CREATE A PATHWAY FOR ADULTS IN COLORADO WHO HAVE
14 NOT EARNED A HIGH SCHOOL DIPLOMA TO ATTEND HIGH SCHOOL AND
15 EARN A HIGH SCHOOL DIPLOMA. STUDENTS OF THE PROGRAM MAY EARN
16 INDUSTRY-RECOGNIZED CERTIFICATES OR COLLEGE CREDITS. THE
17 PROGRAM OPERATES THROUGH A PUBLIC-PRIVATE PARTNERSHIP BETWEEN
18 THE DEPARTMENT AND A COLORADO COMMUNITY-BASED NONPROFIT
19 ORGANIZATION AND IS PROVIDED AT NO COST TO STUDENTS.

20 (b) ANY COLORADO RESIDENT WHO IS TWENTY-ONE YEARS OF AGE
21 OR OLDER AND HAS NOT COMPLETED HIGH SCHOOL IS ELIGIBLE TO ENROLL
22 IN THE PROGRAM.

23 (c) THE DEPARTMENT SHALL USE THE REQUEST FOR PROPOSAL
24 PROCESS DESCRIBED IN SECTION 22-10-203 TO CONTRACT WITH A
25 COLORADO COMMUNITY-BASED NONPROFIT ORGANIZATION TO OPERATE
26 THE PROGRAM AS AN EDUCATION PROVIDER. A NONPROFIT ORGANIZATION
27 THAT PARTICIPATES IN THE ADULT EDUCATION AND LITERACY GRANT

1 PROGRAM CREATED IN SECTION 22-10-104 IS ALSO ELIGIBLE TO CONTRACT
2 WITH THE DEPARTMENT AS AN EDUCATION PROVIDER.

3 (2) AN EDUCATION PROVIDER SHALL:

4 (a) SECURE AND MAINTAIN A BUILDING FOR THE PROGRAM;

5 (b) CONTRIBUTE FUNDING ANNUALLY FOR OPERATING AND
6 FACILITY COSTS;

7 (c) HIRE EDUCATORS AND OTHER SCHOOL PERSONNEL, INCLUDING
8 LIFE COACHES TO HELP STUDENTS NAVIGATE ACADEMIC AND PERSONAL
9 CHALLENGES;

10 (d) PROPOSE AN ACADEMIC ACCOUNTABILITY SYSTEM;

11 (e) ESTABLISH MINIMUM GRADUATION REQUIREMENTS, AS
12 DESCRIBED IN SUBSECTION (3) OF THIS SECTION;

13 (f) USE AN EVIDENCE-BASED EDUCATIONAL MODEL THAT A
14 THIRD-PARTY EVALUATOR HAS PROVEN EFFECTIVE THROUGH A
15 RANDOMIZED CONTROL TRIAL OR AN EXPERIMENTAL STUDY;

16 (g) DEVELOP COURSES THAT MAY BE OFFERED TO STUDENTS IN
17 PERSON;

18 (h) DEVELOP ONLINE COURSES THAT MAY BE OFFERED TO A
19 STUDENT WHO TAKES AT LEAST FIFTY PERCENT OF THE STUDENT'S CLASSES
20 IN PERSON AND WHO DEMONSTRATES ACADEMIC READINESS FOR REMOTE
21 COURSE WORK;

22 (i) CONSULT WITH A NONPROFIT ORGANIZATION THAT HAS
23 IMPLEMENTED AN EVIDENCE-BASED EDUCATIONAL MODEL FOR ADULTS
24 WITH PROVEN EFFECTIVENESS IN ANOTHER STATE;

25 (j) SERVE ALL STUDENTS, REGARDLESS OF IMMIGRATION STATUS;

26 (k) ENROLL NO MORE THAN FOUR HUNDRED STUDENTS AT ONE
27 TIME;

- 1 (l) CREATE AN ENROLLMENT PLAN FOR STUDENTS;
- 2 (m) COMPLY WITH STATE AND FEDERAL LAWS CONCERNING
3 STUDENTS WITH DISABILITIES, INCLUDING STUDENTS WITH
4 ACCOMMODATIONS PURSUANT TO SECTION 504 OF THE FEDERAL
5 "REHABILITATION ACT OF 1973", 29 U.S.C. SEC. 701 ET SEQ., AS
6 AMENDED;
- 7 (n) CREATE INDIVIDUALIZED EDUCATION PROGRAMS FOR
8 STUDENTS WITH DISABILITIES;
- 9 (o) COLLABORATE WITH LOCAL DISTRICT COLLEGES AS DEFINED IN
10 SECTION 23-71-102, COMMUNITY COLLEGES AS DEFINED IN SECTION
11 22-35.3-102, AREA TECHNICAL COLLEGES AS DEFINED IN SECTION
12 23-60-103, OR POSTSECONDARY CAREER AND TECHNICAL EDUCATION
13 PROGRAMS AS DEFINED IN SECTION 22-35-103, TO ENSURE STUDENTS HAVE
14 ACCESS TO COURSES THAT CAN LEAD TO GRADUATION WITH
15 INDUSTRY-RECOGNIZED CERTIFICATES;
- 16 (p) FUND INDUSTRY-RECOGNIZED CERTIFICATE PROGRAMS AT NO
17 COST TO STUDENTS;
- 18 (q) CREATE A PLAN TO AUTHORIZE TEACHERS TO TEACH COURSES
19 FOR COLLEGE CREDIT;
- 20 (r) OPERATE AN ON-SITE CHILD CARE CENTER LICENSED PURSUANT
21 TO PART 3 OF ARTICLE 5 OF TITLE 26.5 FOR STUDENTS WITH CHILDREN;
22 AND
- 23 (s) OFFER TRANSPORTATION ASSISTANCE TO STUDENTS.
- 24 (3) (a) THE EDUCATION PROVIDER SHALL DEVELOP MINIMUM
25 GRADUATION REQUIREMENTS FOR THE PROGRAM BASED ON THE MINIMUM
26 HIGH SCHOOL GRADUATION GUIDELINES ADOPTED BY THE STATE BOARD
27 PURSUANT TO SECTION 22-2-106 (1)(a.5).

1 (b) THE EDUCATION PROVIDER SHALL AWARD A HIGH SCHOOL
2 DIPLOMA TO A STUDENT WHO SUCCESSFULLY COMPLETES THE
3 GRADUATION REQUIREMENTS DEVELOPED PURSUANT TO SUBSECTION
4 (3)(a) OF THIS SECTION.

5 (c) (I) THE EDUCATION PROVIDER SHALL PROPOSE ACADEMIC
6 ACCOUNTABILITY STANDARDS FOR THE PROGRAM TO THE DEPARTMENT
7 THAT INCLUDE, BUT ARE NOT LIMITED TO, THE FOLLOWING:

8 (A) GRADUATION RATE METRICS THAT MEASURE THE GRADUATION
9 RATIO FOR THE ENTIRE STUDENT POPULATION;

10 (B) POSTSECONDARY AND WORKFORCE READINESS METRICS THAT
11 MEASURE THE PERCENTAGE OF GRADUATES WHO EARN EITHER AN
12 INDUSTRY-RECOGNIZED CERTIFICATE OR AT LEAST THREE COLLEGE
13 CREDITS; AND

14 (C) STUDENT DEMOGRAPHIC DATA DISAGGREGATED BY RACE,
15 ETHNICITY, SOCIOECONOMIC STATUS, AGE, GENDER, AND DISABILITY.

16 (II) ON OR BEFORE JULY 1, 2024, AND EACH JULY 1 EVERY THREE
17 YEARS THEREAFTER, THE DEPARTMENT SHALL REVIEW AND APPROVE THE
18 ACADEMIC ACCOUNTABILITY STANDARDS DESCRIBED IN SUBSECTION
19 (3)(c)(I) OF THIS SECTION AND RECOMMEND REVISIONS AS NECESSARY TO
20 THE OFFICE AND EDUCATION PROVIDER.

21 (4) ON OR BEFORE JULY 31, 2025, AND EACH JULY 31 THEREAFTER,
22 AN EDUCATION PROVIDER SHALL REPORT PROGRAM DATA TO THE
23 DEPARTMENT, INCLUDING, BUT NOT LIMITED TO:

24 (a) STUDENT DEMOGRAPHIC DATA DISAGGREGATED BY RACE,
25 ETHNICITY, SOCIOECONOMIC STATUS, AGE, GENDER, AND DISABILITY;

26 (b) ACCOUNTABILITY MEASURE DATA DESCRIBED IN SUBSECTION
27 (3)(c) OF THIS SECTION; AND

1 (c) THE NUMBER OF INDUSTRY-RECOGNIZED CERTIFICATES,
2 COLLEGE CREDITS, AND OVERALL AVERAGE ATTAINMENT OF HIGH SCHOOL
3 CREDITS THAT STUDENTS EARN EACH TERM.

4 (5) THE GENERAL ASSEMBLY MAY APPROPRIATE MONEY IN THE
5 2023-24 BUDGET YEAR FOR THE ESTABLISHMENT OF THE COLORADO
6 ADULT HIGH SCHOOL PROGRAM. BEGINNING IN THE 2024-25 BUDGET
7 YEAR, AND EACH YEAR THEREAFTER, THE GENERAL ASSEMBLY SHALL
8 ANNUALLY APPROPRIATE TWO MILLION DOLLARS TO THE DEPARTMENT
9 FROM THE GENERAL FUND FOR THE COLORADO ADULT HIGH SCHOOL
10 PROGRAM.

11 **22-10-203. Request for proposals - contract - selection process.**

12 (1) ON OR BEFORE SEPTEMBER 15, 2023, THE DEPARTMENT SHALL
13 ESTABLISH A FAIR AND TRANSPARENT REQUEST FOR PROPOSAL PROCESS TO
14 USE WHEN SELECTING AN EDUCATION PROVIDER TO OPERATE THE
15 COLORADO ADULT HIGH SCHOOL PROGRAM. THE REQUEST FOR PROPOSAL
16 PROCESS MUST INCLUDE INPUT FROM THE OFFICE.

17 (2) THE REQUEST FOR PROPOSALS MUST INCLUDE, BUT NEED NOT
18 BE LIMITED TO, THE FOLLOWING:

19 (a) A PLAN FOR STUDENT ENROLLMENT, INCLUDING STUDENTS
20 WITH DISABILITIES;

21 (b) PROPOSED CURRICULUM AND ACADEMIC ACCOUNTABILITY
22 STANDARDS FOR A STUDENT-CENTERED COURSE OF STUDY THAT RESULTS
23 IN A COLORADO HIGH SCHOOL DIPLOMA;

24 (c) EVIDENCE OF THE EFFECTIVENESS OF THE EVIDENCE-BASED
25 EDUCATIONAL MODEL TO BE IMPLEMENTED;

26 (d) A PLAN TO HIRE AND MAINTAIN A STAFF OF EDUCATORS AND
27 OTHER SCHOOL PERSONNEL;

1 (e) PROOF OF ACCESS TO THE MONEY ANNUALLY REQUIRED TO
2 CONTRIBUTE TO THE PROGRAM;

3 (f) A PLAN TO ESTABLISH AND OPERATE A LICENSED, ON-SITE
4 CHILD CARE CENTER; AND

5 (g) A PLAN TO OFFER TRANSPORTATION SERVICES TO STUDENTS.

6 (3) (a) ON OR BEFORE NOVEMBER 1, 2023, THE DEPARTMENT
7 SHALL AWARD A CONTRACT TO AN EDUCATION PROVIDER.

8 (b) ON OR BEFORE DECEMBER 31, 2023, THE DEPARTMENT SHALL
9 CONTRACT WITH THE EDUCATION PROVIDER SELECTED TO IMPLEMENT THE
10 PROGRAM AND CARRY OUT THE RESPONSIBILITIES DESCRIBED IN SECTION
11 22-10-202 (2) AND (3).

12 (c) THE DEPARTMENT SHALL RENEW THE CONTRACT WITH THE
13 EDUCATION PROVIDER EVERY FIVE YEARS. THE DEPARTMENT SHALL
14 ADOPT AND REVISE PROCEDURES AND TIMELINES FOR THE CONTRACT
15 RENEWAL PROCESS AS NECESSARY. THE DEPARTMENT SHALL ENSURE THAT
16 THE EDUCATION PROVIDER RECEIVES A COPY OF THE DEPARTMENT'S
17 CONTRACT RENEWAL PROCEDURES AND TIMELINES AND ANY REVISIONS TO
18 THE PROCEDURES AND TIMELINES.

19 **22-10-204. Reporting requirements.** (1) ON OR BEFORE
20 NOVEMBER 30, 2025, AND EACH NOVEMBER 30 THEREAFTER, THE
21 DEPARTMENT SHALL REPORT TO THE HOUSE OF REPRESENTATIVES
22 EDUCATION COMMITTEE AND THE SENATE EDUCATION COMMITTEE, OR
23 THEIR SUCCESSOR COMMITTEES, THE FOLLOWING:

24 (a) DEMOGRAPHIC DATA OF STUDENTS CURRENTLY ENROLLED IN
25 THE PROGRAM;

26 (b) DEMOGRAPHIC DATA OF STUDENTS WHO GRADUATED FROM
27 THE PROGRAM;

1 (c) ACCOUNTABILITY MEASURE DATA DESCRIBED IN SECTION
2 22-10-202 (3)(c);

3 (d) THE NUMBER OF INDUSTRY-RECOGNIZED CERTIFICATES,
4 COLLEGE CREDITS, AND OVERALL AVERAGE ATTAINMENT OF HIGH SCHOOL
5 CREDITS THAT STUDENTS EARN EACH TERM; AND

6 (e) ANY RECOMMENDATIONS FOR LEGISLATION.

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