

**First Regular Session
Seventy-fourth General Assembly
STATE OF COLORADO**

INTRODUCED

LLS NO. 23-0208.01 Alana Rosen x2606

SENATE BILL 23-007

SENATE SPONSORSHIP

Zenzinger and Kirkmeyer,

HOUSE SPONSORSHIP

Kipp and Catlin,

Senate Committees
Education

House Committees

A BILL FOR AN ACT

101 **CONCERNING ENHANCING ADULT EDUCATION IN COLORADO.**

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>.)

Current law requires adult education providers (providers) that participate in the department of education's (department) adult education and literacy grant program (program) to offer eligible adults basic education in literacy and numeracy. The bill adds "digital literacy" to the basic education offered to eligible adults.

The bill describes services that providers may offer to eligible adults. The bill amends the reporting requirements for providers of the program.

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

The bill allows community colleges, area technical colleges, and local district colleges (colleges) to develop minimum graduation requirements for a high school diploma based on the minimum high school graduation guidelines adopted by the state board of education. Colleges are authorized to award high school diplomas to students who successfully complete the colleges' minimum high school graduation requirements.

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

2 **SECTION 1.** In Colorado Revised Statutes, 22-10-102, **amend**
3 (1)(e), (1)(e.5), (1)(e.7), (1)(f), and (1)(g) as follows:

4 **22-10-102. Legislative declaration.** (1) The general assembly
5 finds that:

6 (e) Before Colorado can meet its workforce, educational
7 attainment, and poverty-reduction goals, the state must address the need
8 for adult education. A significant percentage of the state's working-age
9 population lacks a high school diploma or its equivalent. Many of these
10 individuals do not have basic literacy, DIGITAL LITERACY, or numeracy
11 skills and are unprepared for participation in postsecondary education and
12 for participation in the twenty-first-century workforce. Further, these
13 individuals are unprepared to provide the learning support and advocacy
14 that their own children or the children they care for require.

15 (e.5) Literacy and level of educational attainment not only impact
16 an individual's ability to gain employment at a self-sufficiency level, but
17 extensive research shows that they are also key determining factors in the
18 educational success and future employment potential of the individual's
19 children or children for whom the individual is a caregiver. A
20 two-generation approach to increasing literacy, DIGITAL LITERACY, and
21 numeracy skills is essential for the workforce of today and tomorrow and
22 for helping to break the cycle of poverty.

1 (e.7) While some adults require educational programs that will
2 improve their literacy, DIGITAL LITERACY, or numeracy skills to gain
3 higher-paying levels of employment, many adults have not completed
4 ninth grade or may otherwise be identified as lowest-level learners.
5 Before these adults can aspire to higher-level employment, they require
6 more basic educational programs that specialize in English language
7 skills and assistance in obtaining a high school DIPLOMA OR AN
8 equivalency certificate.

9 (f) Effectively addressing the need for adult education requires the
10 appropriation of state money to fund adult education and literacy
11 programs that participate in workforce development partnerships or
12 education attainment partnerships and that enable individuals to acquire
13 the basic and more advanced skills needed to function effectively as
14 parents, caregivers, employees, and citizens of the United States.
15 Although there are several postsecondary programs that focus on
16 workforce development and skills acquisition, these programs typically
17 assume that participants are or have been in the workforce in some
18 capacity and have already attained a base level of literacy, DIGITAL
19 LITERACY, and numeracy. Adult education and literacy programs,
20 however, are typically designed for adults who have been unable to enter
21 the workforce in a meaningful capacity or are limited in their ability to
22 support their children's education or participate in society due to a lack of
23 basic literacy, DIGITAL LITERACY, and numeracy skills.

24 (g) In return for state investment in adult education and literacy
25 programs, these programs must refocus their mission to ensure that more
26 low-skilled, low-income adults attain the basic literacy, DIGITAL
27 LITERACY, and numeracy skills that they lack so that they may improve

1 their own and the next generation's ability to participate in the current and
2 future in-demand sectors of employment, function effectively in
3 supporting and advocating for their children's education, and actively
4 participate in society; and

5 **SECTION 2.** In Colorado Revised Statutes, 22-10-103, **amend**
6 (1), (2.5), (3)(c)(III), and (11)(a); and **add** (2.3) as follows:

7 **22-10-103. Definitions.** As used in this article 10, unless the
8 context otherwise requires:

9 (1) "Adult education and literacy programs" means programs that
10 provide adult basic education, adult education leading to a high school
11 DIPLOMA OR AN equivalency credential, English as a second language
12 instruction, or integrated basic education, DIGITAL LITERACY, and skills
13 training.

14 (2.3) "DIGITAL LITERACY" MEANS THE SKILLS ASSOCIATED WITH
15 USING TECHNOLOGY THAT ENABLES USERS TO FIND, EVALUATE, ORGANIZE,
16 CREATE, DISSEMINATE, AND COMMUNICATE INFORMATION ONLINE.

17 (2.5) "Education attainment partnership" means a collaboration
18 that assists adults in attaining basic literacy, DIGITAL LITERACY, and
19 numeracy skills that lead to additional skill acquisition and may lead to
20 postsecondary credentials and employment. At a minimum, an education
21 attainment partnership must consist of at least one adult education
22 provider that is not listed in subsection (1.5)(a) of this section that
23 partners with at least one elementary or secondary school or school
24 district, a public or private institution of higher education, a local district
25 college, or an area technical college.

26 (3) "Eligible adult" means a person who:

27 (c) (III) Lacks sufficient mastery of the basic literacy, DIGITAL

1 LITERACY, and numeracy skills necessary to enable the person to function
2 effectively in the workplace.

3 (11) (a) "Workforce development partnership" means a
4 collaboration that assists adults in attaining basic literacy, DIGITAL
5 LITERACY, and numeracy skills leading to additional skill acquisition,
6 postsecondary credentials, and employment. At a minimum, a workforce
7 development partnership must include at least one adult education
8 provider AND at least one postsecondary education or training provider
9 ~~and at least~~ OR one workforce development provider.

10 **SECTION 3.** In Colorado Revised Statutes, 22-10-104, **amend**
11 (1)(a), (1)(c), (1)(d)(I), (3)(c.5), and (3)(d); and **add** (3)(e) as follows:

12 **22-10-104. Adult education and literacy grant program -**
13 **created - rules.** (1) (a) (I) There is created in the office the adult
14 education and literacy grant program to provide funding for adult
15 education providers that are members of workforce development
16 partnerships, through which eligible adults receive basic education in
17 literacy, DIGITAL LITERACY, and numeracy that leads to additional skills
18 acquisition, A HIGH SCHOOL DIPLOMA OR AN EQUIVALENCY CERTIFICATE,
19 postsecondary credential attainment, and employment; or education
20 attainment partnerships that assist adults in attaining basic literacy,
21 DIGITAL LITERACY, and numeracy skills that lead to additional skill
22 acquisition, and may lead to A HIGH SCHOOL DIPLOMA OR AN
23 EQUIVALENCY CERTIFICATE, postsecondary credentials and employment,
24 for the participating adults and their children or the children for whom
25 they provide care.

26 (II) ADULT EDUCATION AND LITERACY PROGRAMS MAY INCLUDE:

27 (A) IN-PERSON OR ONLINE INSTRUCTION;

1 (B) THE DEVELOPMENT OF DOCUMENTED LEARNING PLANS
2 DESCRIBING COURSES OR CREDITS AN ELIGIBLE ADULT NEEDS TO
3 COMPLETE AN ADULT EDUCATION AND LITERACY PROGRAM AND FULFILL
4 THE GRADUATION REQUIREMENTS OF THE PROGRAM;

5 (C) COACHING BETWEEN AN ADULT EDUCATION PROVIDER AND AN
6 ELIGIBLE ADULT RELATED TO THE STUDENT'S PACE AND PROGRESS WITH
7 THE LEARNING PLAN DESCRIBED IN SUBSECTION (1)(a)(II)(B) OF THIS
8 SECTION; AND

9 (D) MENTORSHIP BETWEEN A COACH AND AN ELIGIBLE ADULT TO
10 FACILITATE THE COMPLETION OF THE ELIGIBLE ADULT'S LEARNING PLAN
11 DESCRIBED IN SUBSECTION (1)(a)(II)(B) OF THIS SECTION TO PREPARE THE
12 STUDENT TO SUCCEED IN THE ADULT EDUCATION AND LITERACY PROGRAM
13 AND IN THE ELIGIBLE ADULT'S FUTURE ENDEAVORS.

14 (c) Subject to available appropriations, the state board, taking into
15 consideration the recommendations of the office, shall award adult
16 education and literacy grants to adult education providers. In awarding
17 grants payable from state appropriations, the state board may give
18 preference to adult education programs that serve populations that are
19 underserved by federal funding. The grants awarded are payable from
20 appropriations from the general fund and from the adult education and
21 literacy grant fund created in section 22-10-107. The state board shall
22 establish the amount and duration of each grant awarded and may award
23 a grant for multiple fiscal years, subject to annual renewal BY THE OFFICE.
24 A grant recipient that receives a multi-year grant must annually submit to
25 the office the necessary information to determine whether the grant
26 recipient is making sufficient progress toward achieving the goals of the
27 adult education and literacy program that were specified in the grant

1 application. If the office finds that a grant recipient is not making
2 sufficient progress toward achieving the goals, the ~~state board~~ OFFICE
3 shall not renew the grant for subsequent fiscal years.

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

9 (I) Lacks basic literacy, DIGITAL LITERACY, or numeracy skills;

10 (3) The office, in evaluating grant applications, and the state
11 board, in awarding grants, may consider, at a minimum, the following
12 factors:

13 (c.5) Whether the adult education provider serves eligible adults
14 who have not completed ninth grade or may otherwise be identified as
15 lowest-level learners and the adult education provider's demonstrated
16 success in serving these learners; ~~and~~

17 (d) The demonstrated success of the adult education provider in
18 enabling adults to attain basic literacy, DIGITAL LITERACY, and numeracy
19 skills and in assisting them to attain additional skills, postsecondary
20 credentials, employment, and increased capacity to support the academic
21 achievement of their own children or children for whom they provide
22 care; AND

23 (e) THE AVERAGE COST PER ELIGIBLE ADULT SERVED BY THE
24 ADULT EDUCATION PROVIDER IN ASSISTING THE ELIGIBLE ADULT IN
25 ATTAINING ADDITIONAL SKILLS, A HIGH SCHOOL DIPLOMA OR AN
26 EQUIVALENCY CERTIFICATE, POSTSECONDARY CREDENTIALS,
27 EMPLOYMENT, OR INCREASED CAPACITY TO SUPPORT THE ACADEMIC

1 ACHIEVEMENT OF THE ELIGIBLE ADULT'S OWN CHILDREN OR CHILDREN FOR
2 WHOM THE ELIGIBLE ADULT PROVIDES CARE.

3 **SECTION 4.** In Colorado Revised Statutes, 22-10-105, **amend**
4 (1)(c) as follows:

5 **22-10-105. Evaluation of grants - report.** (1) (c) (I) ~~Upon~~
6 ~~completing an adult education and literacy program funded, in whole or~~
7 ~~in part, by a grant awarded pursuant to this article 10, an adult education~~
8 ~~provider shall report to the department information concerning the~~
9 ~~state-funded program that the department specifically requests from the~~
10 ~~information required by Title II of the federal "Workforce Innovation and~~
11 ~~Opportunity Act", as amended, 29 U.S.C. sec. 3101 et seq., for federally~~
12 ~~funded programs. The department may request such additional~~
13 ~~information as may be required by rule of the state board~~ THE
14 DEPARTMENT SHALL ESTABLISH REASONABLE REPORTING AND
15 DOCUMENTATION REQUIREMENTS FOR PROVIDERS. AN ADULT EDUCATION
16 PROVIDER'S ADMINISTRATIVE COSTS ASSOCIATED WITH REPORTING AND
17 DOCUMENTATION REQUIREMENTS MUST NOT EXCEED FIVE PERCENT OF THE
18 AWARDED FUNDS. THE DEPARTMENT MAY REQUIRE DOCUMENTATION OF
19 REPORTED OUTCOMES ON A SAMPLE OF ELIGIBLE ADULTS SERVED BY AN
20 ADULT EDUCATION PROVIDER. AN ADULT EDUCATION PROVIDER SHALL
21 REPORT TO THE DEPARTMENT ON THE FOLLOWING:

22 (A) THE NUMBER OF ELIGIBLE ADULTS ENROLLED IN AN ADULT
23 EDUCATION AND LITERACY PROGRAM;

24 (B) DEMOGRAPHIC INFORMATION OF EACH ELIGIBLE ADULT
25 ENROLLED IN AN ADULT EDUCATION AND LITERACY PROGRAM, INCLUDING
26 AGE, GENDER, RACE, ETHNICITY, NATIVE LANGUAGE, ZIP CODE, AND
27 INCOME;

1 (C) LITERACY SKILLS GAINED BY AN ELIGIBLE ADULT ENROLLED
2 IN AN ADULT EDUCATION AND LITERACY PROGRAM;

3 (D) POSTSECONDARY CREDENTIALS EARNED BY AN ELIGIBLE
4 ADULT ENROLLED IN AN ADULT EDUCATION AND LITERACY PROGRAM;

5 (E) EMPLOYMENT OBTAINED BY AN ELIGIBLE ADULT ENROLLED IN
6 AN ADULT EDUCATION AND LITERACY PROGRAM;

7 (F) ADJUSTMENTS TO AN ELIGIBLE ADULT'S WAGES BASED ON AN
8 ELIGIBLE ADULT'S PARTICIPATION IN THE ADULT EDUCATION AND
9 LITERACY PROGRAM; AND

10 (G) DEVELOPMENT OF GENERATIONAL SKILLS AND THE CAPACITY
11 OF AN ELIGIBLE ADULT TO SUPPORT THE ACADEMIC ACHIEVEMENT OF THE
12 ELIGIBLE ADULT'S CHILDREN OR CHILDREN FOR WHOM THE ELIGIBLE ADULT
13 PROVIDES CARE.

14 (II) EACH ADULT EDUCATION PROVIDER SHALL REPORT DATA IN
15 COMPLIANCE WITH THE "COLORADO PRIVACY ACT", ESTABLISHED
16 PURSUANT TO PART 13 OF ARTICLE 1 OF TITLE 6; THE FEDERAL "FAMILY
17 EDUCATIONAL RIGHTS AND PRIVACY ACT OF 1974", 20 U.S.C. SEC.
18 1232g; AND THE "STUDENT DATA TRANSPARENCY AND SECURITY ACT",
19 CREATED IN ARTICLE 16 OF THIS TITLE 22.

20 **SECTION 5.** In Colorado Revised Statutes, 22-10-107, **add**
21 (1)(b.5) as follows:

22 **22-10-107. Adult education and literacy grant fund - created.**

23 (1) (b.5) FOR THE 2023-24 BUDGET YEAR AND EACH BUDGET YEAR
24 THEREAFTER, IN ADDITION TO THE AMOUNT THAT IS AVAILABLE PURSUANT
25 TO SUBSECTION (1)(b) OF THIS SECTION, THE GENERAL ASSEMBLY SHALL
26 APPROPRIATE TWO MILLION DOLLARS FROM THE GENERAL FUND TO THE
27 FUND FOR THE PURPOSES OF THIS SECTION.

1 **SECTION 6.** In Colorado Revised Statutes, **add** 23-60-111 as
2 follows:

3 **23-60-111. Community colleges - high school diplomas -**
4 **approval.** (1) A COMMUNITY COLLEGE MAY DEVELOP MINIMUM
5 GRADUATION REQUIREMENTS FOR A HIGH SCHOOL DIPLOMA BASED ON THE
6 MINIMUM HIGH SCHOOL GRADUATION GUIDELINES ADOPTED BY THE STATE
7 BOARD OF EDUCATION PURSUANT TO SECTION 22-2-106 (1)(a.5). A
8 COMMUNITY COLLEGE SHALL AWARD A HIGH SCHOOL DIPLOMA TO A
9 STUDENT WHO SUCCESSFULLY COMPLETES THE MINIMUM HIGH SCHOOL
10 GRADUATION REQUIREMENTS.

11 (2) A COMMUNITY COLLEGE SHALL NOTIFY THE BOARD WHEN THE
12 COMMUNITY COLLEGE AWARDS A HIGH SCHOOL DIPLOMA PURSUANT TO
13 THIS SECTION. THE BOARD SHALL NOTIFY THE OFFICE WITHIN THE
14 DEPARTMENT OF EDUCATION THAT IS RESPONSIBLE FOR ADULT
15 EDUCATION, AS DEFINED IN SECTION 22-10-103 (9), OF THE TOTAL NUMBER
16 OF HIGH SCHOOL DIPLOMAS THE COMMUNITY COLLEGE AWARDS.

17 **SECTION 7.** In Colorado Revised Statutes, **add** 23-60-803 as
18 follows:

19 **23-60-803. Area technical colleges - high school diplomas -**
20 **approval.** (1) AN AREA TECHNICAL COLLEGE MAY DEVELOP MINIMUM
21 GRADUATION REQUIREMENTS FOR A HIGH SCHOOL DIPLOMA BASED ON THE
22 MINIMUM HIGH SCHOOL GRADUATION GUIDELINES ADOPTED BY THE STATE
23 BOARD OF EDUCATION PURSUANT TO SECTION 22-2-106 (1)(a.5). AN AREA
24 TECHNICAL COLLEGE SHALL AWARD A HIGH SCHOOL DIPLOMA TO A
25 STUDENT WHO SUCCESSFULLY COMPLETES THE MINIMUM HIGH SCHOOL
26 GRADUATION REQUIREMENTS.

27 (2) AN AREA TECHNICAL COLLEGE SHALL NOTIFY THE BOARD

1 WHEN THE AREA TECHNICAL COLLEGE AWARDS A HIGH SCHOOL DIPLOMA
2 PURSUANT TO THIS SECTION. THE BOARD SHALL NOTIFY THE OFFICE
3 WITHIN THE DEPARTMENT OF EDUCATION THAT IS RESPONSIBLE FOR ADULT
4 EDUCATION, AS DEFINED IN SECTION 22-10-103 (9), OF THE TOTAL NUMBER
5 OF HIGH SCHOOL DIPLOMAS THE AREA TECHNICAL COLLEGE AWARDS.

6 **SECTION 8.** In Colorado Revised Statutes, **add** 23-71-135 as
7 follows:

8 **23-71-135. Local district colleges - high school diplomas -**
9 **approval.** (1) A LOCAL DISTRICT COLLEGE MAY DEVELOP MINIMUM
10 GRADUATION REQUIREMENTS FOR A HIGH SCHOOL DIPLOMA BASED ON THE
11 MINIMUM HIGH SCHOOL GRADUATION GUIDELINES ADOPTED BY THE STATE
12 BOARD OF EDUCATION PURSUANT TO SECTION 22-2-106 (1)(a.5). A LOCAL
13 DISTRICT COLLEGE SHALL AWARD A HIGH SCHOOL DIPLOMA TO A STUDENT
14 WHO SUCCESSFULLY COMPLETES THE MINIMUM HIGH SCHOOL GRADUATION
15 REQUIREMENTS.

16 (2) A LOCAL DISTRICT COLLEGE SHALL NOTIFY THE BOARD OF
17 TRUSTEES WHEN THE LOCAL DISTRICT COLLEGE AWARDS A HIGH SCHOOL
18 DIPLOMA PURSUANT TO THIS SECTION. THE BOARD OF TRUSTEES SHALL
19 NOTIFY THE OFFICE WITHIN THE DEPARTMENT OF EDUCATION THAT IS
20 RESPONSIBLE FOR ADULT EDUCATION, AS DEFINED IN SECTION 22-10-103
21 (9), OF THE TOTAL NUMBER OF HIGH SCHOOL DIPLOMAS THE LOCAL
22 DISTRICT COLLEGE AWARDS.

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