

CHAPTER 293

**EDUCATION - UNIVERSITIES AND COLLEGES**

**HOUSE BILL 96-1219**

BY REPRESENTATIVES Allen, Keller, Anderson, Dean, DeGette, Leyba, Lyle, Mace, Morrison, Prinzler, and Tupa;  
also SENATORS Meiklejohn, Norton, Tanner, Alexander, Feeley, Matsunaka, R. Powers, Wells, Wham, and Wattenberg.

**AN ACT**

**CONCERNING HIGHER EDUCATION REFORM, AND, IN CONNECTION THEREWITH, ESTABLISHING THE HIGHER EDUCATION QUALITY ASSURANCE ACT AND REQUIRING A STUDY OF GRADUATE EDUCATION.**

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

**SECTION 1.** Article 13 of title 23, Colorado Revised Statutes, 1995 Repl. Vol., is REPEALED AND REENACTED, WITH AMENDMENTS, to read:

**ARTICLE 13  
Higher Education Statewide Expectations and Goals  
and Quality Indicator System**

**23-13-101. Short title.** THIS ARTICLE SHALL BE KNOWN AND MAY BE CITED AS THE "HIGHER EDUCATION QUALITY ASSURANCE ACT".

**23-13-102. Legislative declaration.** THE GENERAL ASSEMBLY FINDS THAT, WITH THE PROJECTED INCREASES IN STUDENT ENROLLMENT AND THE DECREASING AVAILABILITY OF FUNDING FOR HIGHER EDUCATION, IT IS CRUCIAL THAT THE STATE CLEARLY DEFINE ITS EXPECTATIONS FOR THE STATEWIDE HIGHER EDUCATION SYSTEM AND THAT THE STATEWIDE HIGHER EDUCATION SYSTEM DEVELOP A MECHANISM FOR DETERMINING WHETHER THE SYSTEM IS MEETING THOSE EXPECTATIONS. THE GENERAL ASSEMBLY FURTHER FINDS THAT THE INCREASING FINANCIAL PRESSURES ON STUDENTS AND THEIR FAMILIES DEMAND THAT THE STATEWIDE SYSTEM OF HIGHER EDUCATION CONCENTRATE ON IMPROVING BOTH THE QUALITY AND COST-EFFECTIVENESS OF HIGHER EDUCATION IN THE STATE. THE GENERAL ASSEMBLY ALSO FINDS THAT, AS INSTITUTIONS OF HIGHER EDUCATION MEASURE AND COMMUNICATE THEIR ACHIEVEMENT OF THE STATE'S EXPECTATIONS, THE GENERAL

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*Capital letters indicate new material added to existing statutes; dashes through words indicate deletions from existing statutes and such material not part of act.*

ASSEMBLY WILL RECEIVE THE INFORMATION IT NEEDS TO JUDGE ACCURATELY THE HIGHER EDUCATION SYSTEM'S LEVEL OF EFFICIENCY AND EFFECTIVENESS AND STUDENTS AND THEIR FAMILIES WILL HAVE THE INFORMATION THEY NEED TO CHOOSE THE MOST APPROPRIATE AND COST-EFFECTIVE METHOD OF OBTAINING HIGHER EDUCATION IN THE STATE.

**23-13-103. Definitions.** AS USED IN THIS ARTICLE, UNLESS THE CONTEXT OTHERWISE REQUIRES:

(1) "COMMISSION" MEANS THE COLORADO COMMISSION ON HIGHER EDUCATION CREATED IN SECTION 23-1-102.

(2) "INSTITUTION" MEANS ANY STATE-SUPPORTED INSTITUTION OF HIGHER EDUCATION IN COLORADO, INCLUDING JUNIOR COLLEGES AND AREA VOCATIONAL SCHOOLS.

(3) "QUALITY INDICATOR SYSTEM" MEANS THE SYSTEM OF DATA COLLECTION AND COMPILATION DEVELOPED BY THE COMMISSION PURSUANT TO SECTION 23-13-105 TO MEASURE THE QUALITY OF UNDERGRADUATE EDUCATION PROVIDED BY EACH GOVERNING BOARD AND EACH INSTITUTION.

(4) "STATEWIDE EXPECTATIONS AND GOALS" MEANS THE STATEWIDE EXPECTATIONS AND GOALS FOR HIGHER EDUCATION ESTABLISHED IN SECTION 23-13-104.

**23-13-104. Statewide expectations and goals for higher education.** (1) IT IS THE GENERAL ASSEMBLY'S INTENT IN THIS SECTION TO CLEARLY DEFINE THE STATE'S EXPECTATIONS FOR THE STATEWIDE SYSTEM OF HIGHER EDUCATION BY ESTABLISHING THE FOLLOWING SPECIFIC STATEWIDE EXPECTATIONS AND GOALS THAT EACH INSTITUTION, IN ACCORDANCE WITH ITS ROLE AND MISSION, SHALL WORK TOWARD ACHIEVING:

(a) PROVISION OF A HIGH QUALITY, EFFICIENT, AND EXPEDITIOUS UNDERGRADUATE EDUCATION, CONSISTENT WITH EACH INSTITUTION'S STATUTORY ROLE AND MISSION. IN ACHIEVING THIS GOAL, EACH INSTITUTION SHALL DEMONSTRATE, BUT IS NOT LIMITED TO, THE FOLLOWING:

(I) DELIVERY OF A DEGREE IN THE NUMBER OF CREDIT HOURS SPECIFIED IN THE COURSE CATALOGUE; EXCEPT THAT THE INSTITUTION MAY MAKE EXCEPTIONS TO ACCOMMODATE STUDENTS WHO ARE PURSUING DOUBLE MAJORS AND OTHER STUDENTS WITH SPECIAL CIRCUMSTANCES. IN DELIVERING A DEGREE IN THE REQUISITE NUMBER OF CREDIT HOURS, EACH INSTITUTION SHALL, AT A MINIMUM:

(A) PROVIDE FREQUENT AND CONVENIENT SCHEDULING OF REQUIRED AND CORE COURSES;

(B) DEVISE PROCEDURES TO ENSURE THAT NO STUDENT'S GRADUATION IS DELAYED DUE TO LACK OF ACCESS TO OR AVAILABILITY OF REQUIRED AND CORE COURSES;

(C) SCHEDULE COURSES TO ACCOMMODATE THE SCHEDULES OF WORKING STUDENTS, WHICH COURSE SCHEDULES MAY INCLUDE BUT ARE NOT LIMITED TO

OFFERING COURSES IN THE EVENING AND ON WEEKENDS; AND

(D) ENSURE THAT ANY STUDENT WHO CHANGES HIS OR HER DEGREE PROGRAM LOSES ONLY THOSE CREDIT HOURS THAT CLEARLY AND JUSTIFIABLY CANNOT APPLY IN THE DEGREE PROGRAM TO WHICH THE STUDENT TRANSFERS;

(II) DEMONSTRATION OF A SIGNIFICANT OR INCREASED EMPHASIS ON DELIVERY OF SERVICES AND SUPPORT TO FRESHMEN AND SOPHOMORE STUDENTS;

(III) CONTINUAL ENHANCEMENT AND IMPROVEMENT OR DEMONSTRATION OF HIGH LEVELS OF STUDENT LEARNING OUTCOMES THROUGH CURRICULUM REVIEW, DEVELOPMENT OF NEW PROGRAMS, SOLICITATION AND CONSIDERATION OF EMPLOYER AND STUDENT INPUT AND FACULTY EVALUATIONS, AND INCREASED AVAILABILITY OF SMALL CLASSES AND CLINICAL LEARNING EXPERIENCES;

(IV) IMPLEMENTATION OF AN ADVISING SYSTEM THAT IS RESPONSIVE TO THE NEEDS OF STUDENTS, INCLUDING, AT A MINIMUM, ASSIGNMENT OF EACH STUDENT TO A FACULTY OR STAFF MEMBER, OR BOTH, TO WHOM THAT STUDENT CAN GO FOR ADVICE CONCERNING BOTH COURSE STUDY AND SCHEDULING OF COURSES;

(V) RECOGNITION AND REWARD OF HIGH QUALITY OR IMPROVED FACULTY INSTRUCTION AND STUDENT LEARNING BY, AT A MINIMUM:

(A) ENSURING THAT THE FACULTY MEMBERS IN EACH DEPARTMENT OR COLLEGE SPEND, IN THE AGGREGATE, A SPECIFIED, APPROPRIATE PERCENTAGE OF TIME TEACHING STUDENTS;

(B) BASING A HIGH PROPORTION OF EACH FACULTY MEMBER'S RATING AND EVALUATION ON THE AMOUNT OF TIME THE FACULTY MEMBER SPENDS TEACHING AND THE QUALITY OF THE INSTRUCTION PROVIDED; AND

(C) DEVELOPING A SYSTEM OF INSTRUCTIONAL SUPERVISION AND EVALUATION TO ENSURE QUALITY OF INSTRUCTION;

(VI) IMPLEMENTATION OF LOCAL OR ON-CAMPUS PROGRAMS FOR FACULTY AND STAFF DEVELOPMENT, INCLUDING BUT NOT LIMITED TO TRAINING IN:

(A) ADVISING AND COUNSELING SKILLS; AND

(B) TEACHING SKILLS AND METHODS.

(b) PROVISION OF ASSISTANCE TO ELEMENTARY AND SECONDARY EDUCATION IN ACHIEVING SYSTEMIC REFORM AND CREATION OF APPROPRIATE LINKAGES BETWEEN ELEMENTARY AND SECONDARY EDUCATION AND HIGHER EDUCATION. IN ACHIEVING THIS GOAL, EACH INSTITUTION SHALL DEMONSTRATE, BUT IS NOT LIMITED TO, THE FOLLOWING:

(I) IMPLEMENTATION OF EFFORTS TO ALIGN HIGHER EDUCATION ADMISSION REQUIREMENTS WITH THE ACHIEVEMENT LEVELS ADOPTED FOR STUDENTS IN ELEMENTARY AND SECONDARY EDUCATION, INCLUDING, AT A MINIMUM, PRECISE ARTICULATION AND EFFECTIVE COMMUNICATION OF THE SKILLS AND ABILITIES THAT

A FRESHMAN STUDENT MUST HAVE TO BE SUCCESSFUL AT THE INSTITUTION;

(II) ENHANCEMENT AND IMPROVEMENT OF OR DEMONSTRATION OF SUCCESS IN THE ENROLLMENT, RETENTION, AND GRADUATION OF ECONOMICALLY DISADVANTAGED STUDENTS AND STUDENTS FROM TRADITIONALLY UNDERREPRESENTED GROUPS BY, AT A MINIMUM, IMPLEMENTING PRECOLLEGIATE EXPERIENCES AND PROGRAMS COOPERATIVELY DESIGNED BY ELEMENTARY AND SECONDARY AND HIGHER EDUCATION INSTITUTIONS TO INCREASE THE NUMBER OF ECONOMICALLY DISADVANTAGED STUDENTS AND STUDENTS FROM TRADITIONALLY UNDERREPRESENTED GROUPS WHO ARE QUALIFIED TO ENTER POSTSECONDARY EDUCATION;

(III) COMBINATION OF EFFORTS WITH SECONDARY SCHOOLS TO ENABLE STUDENTS TO COMPLETE PROGRAMS OF POSTSECONDARY EDUCATION QUICKLY AND EFFICIENTLY AND TO ENCOURAGE AND ALLOW TWELFTH GRADE STUDENTS TO TAKE POSTSECONDARY COURSES;

(IV) IMPLEMENTATION OF STANDARDS BASED ON THE STANDARDS DEVELOPED IN ELEMENTARY AND SECONDARY EDUCATION AS THEY RELATE TO THE REQUIREMENTS FOR ADMISSION TO INSTITUTIONS;

(V) IMPROVEMENT OF OR DEMONSTRATION OF SUCCESSFUL EXISTING ELEMENTARY AND SECONDARY EDUCATOR PREPARATION AND PROFESSIONAL DEVELOPMENT THROUGH IN-SERVICE AND PRESERVICE PROGRAMS, INCLUDING BUT NOT LIMITED TO PROGRAMS FOR PREPARATION OF AND PROFESSIONAL DEVELOPMENT FOR PRINCIPALS; AND

(VI) IMPLEMENTATION OF FACULTY-TO-FACULTY EXCHANGES AND CONFERENCES, INVOLVING SECONDARY AND POSTSECONDARY FACULTY MEMBERS, TO ASSIST IN ARTICULATING AND COMMUNICATING STUDENT REQUIREMENTS AND IN NURTURING COOPERATION BETWEEN THE ELEMENTARY AND SECONDARY AND HIGHER EDUCATION SYSTEMS.

(c) PROVISION OF WORK FORCE PREPARATION AND TRAINING. IN ACHIEVING THIS GOAL, EACH INSTITUTION SHALL DEMONSTRATE, BUT IS NOT LIMITED TO, THE FOLLOWING:

(I) PROVISION TO STUDENTS OF INFORMATION CONCERNING POTENTIAL EMPLOYMENT OPPORTUNITIES FOR EACH MAJOR AND DEGREE PRIOR TO THE TIME THAT STUDENTS ARE REQUIRED TO DECLARE A MAJOR;

(II) PREPARATION OF GRADUATES WHO POSSESS THE BASIC ABILITIES AND SKILLS NECESSARY IN A VARIETY OF CAREERS;

(III) INTEGRATION OF REAL WORLD EXPERIENCES INTO THE EDUCATIONAL PROCESS AND FACILITATION OF SCHOOL-TO-WORK OPPORTUNITIES;

(IV) PROVISION OF OPPORTUNITIES FOR COOPERATIVE EDUCATION AND INTERNSHIPS;

(V) COOPERATION WITH EMPLOYERS TO ASSESS THEIR LEVEL OF SATISFACTION

WITH THE PREPARATION OF GRADUATES; AND

(VI) RESPONSIVENESS TO COLORADO BUSINESSES THROUGH DEVELOPMENT OF WORK FORCE TRAINING PROGRAMS AND RESEARCH NEEDED FOR ECONOMIC DEVELOPMENT.

(d) USE OF TECHNOLOGY TO LOWER THE INSTITUTION'S CAPITAL AND ADMINISTRATIVE COSTS AND IMPROVE THE QUALITY AND DELIVERY OF EDUCATION. IN ACHIEVING THIS GOAL, EACH INSTITUTION SHALL DEMONSTRATE, BUT IS NOT LIMITED TO, ACHIEVEMENT OF THE FOLLOWING:

(I) INTEGRATION OF TECHNOLOGY INTO THE EDUCATIONAL PROCESS IN WAYS THAT REDUCE THE INSTITUTION'S COST PER UNIT OF EDUCATION;

(II) INTEGRATION OF TECHNOLOGY INTO THE EDUCATIONAL PROCESS IN WAYS THAT DEMONSTRABLY IMPROVE THE MARKETABILITY OF GRADUATES IN THE WORKPLACE;

(III) IMPROVEMENT IN OR DEMONSTRATION OF A HIGH DEGREE OF STUDENT ACCESS AND CONTINUING EDUCATION THROUGH INCREASED USE OF DISTANCE LEARNING TECHNOLOGIES;

(IV) IMPROVEMENT IN OR DEMONSTRATION OF A HIGH DEGREE OF LEARNING PRODUCTIVITY THROUGH THE USE OF TECHNOLOGY.

(e) PROVISION OF SERVICES WITH A HIGH LEVEL OF OPERATIONAL PRODUCTIVITY AND EFFECTIVENESS. IN ACHIEVING THIS GOAL, EACH INSTITUTION SHALL DEMONSTRATE, BUT IS NOT LIMITED TO, THE FOLLOWING:

(I) ESTABLISHMENT OF POSITIVE TRENDS, CONSISTENT WITH EACH INSTITUTION'S STATUTORY ROLE AND MISSION, IN STUDENT OUTCOMES AND LEVELS OF ACHIEVEMENT, INCLUDING BUT NOT LIMITED TO STUDENT RETENTION, STUDENT TRANSFERS, GRADUATION RATES, AND JOB PLACEMENT OR PARTICIPATION IN FURTHER EDUCATION BY GRADUATES;

(II) PROVISION OF INSTRUCTION, STUDENT SERVICES, AND ADMINISTRATIVE SERVICES USING AN EFFICIENT AND PRODUCTIVE DELIVERY SYSTEM;

(III) DIRECTION OF STATE- AND TUITION-FUNDED ACADEMIC RESEARCH IN LARGE MEASURE TO PROJECTS THAT WILL HAVE A DIRECT BENEFICIAL IMPACT ON COLORADO, INCLUDING BENEFITTING THE STATE ECONOMY, CIVILIZATION, ELEMENTARY AND SECONDARY EDUCATION SYSTEM, AND ENVIRONMENT.

(2) IN DETERMINING ACHIEVEMENT OF THE STATEWIDE EXPECTATIONS AND GOALS, IN APPLYING THE QUALITY INDICATORS DEVELOPED PURSUANT TO SECTION 23-13-105, AND IN ALLOCATING ANY MONEYS APPROPRIATED TO REWARD ACHIEVEMENT OF THE STATEWIDE EXPECTATIONS AND GOALS, THE COMMISSION AND THE GOVERNING BOARDS SHALL ENSURE THAT THE EXPECTATIONS FOR EACH INSTITUTION ARE IN ACCORDANCE WITH THE INSTITUTION'S ROLE AND MISSION AND THAT APPLICATION OF THE STATEWIDE EXPECTATIONS AND GOALS AND OF THE QUALITY INDICATORS DO NOT RESULT IN AN EXPANSION OR LIMITATION OF ANY INSTITUTION'S ROLE AND MISSION.

(3) EACH STATE-SUPPORTED INSTITUTION OF HIGHER EDUCATION SHALL ACHIEVE OR MAKE SUBSTANTIAL AND MEASURABLE PROGRESS TOWARD ACHIEVING THE STATEWIDE EXPECTATIONS AND GOALS BY FALL SEMESTER 1999 AND SHALL CONTINUE TO OPERATE IN CONFORMANCE WITH AND WORK TOWARD FURTHER ACHIEVEMENT OF THE STATEWIDE EXPECTATIONS AND GOALS AFTER THAT DATE.

(4) THE COMMISSION SHALL ENSURE THAT PERFORMANCE OF ALL DUTIES ASSIGNED TO IT AND ADOPTION OF ALL POLICIES REQUIRED UNDER THIS TITLE SHALL BE FOCUSED TO THE GREATEST POSSIBLE EXTENT ON THE TIMELY, EFFICIENT, AND EFFECTIVE ACHIEVEMENT OF THE STATEWIDE EXPECTATIONS AND GOALS.

(5) THE COMMISSION SHALL ANNUALLY REVIEW THE STATEWIDE EXPECTATIONS AND GOALS AND SHALL RECOMMEND TO THE GENERAL ASSEMBLY ANY CHANGES IN THE STATEWIDE EXPECTATIONS AND GOALS THAT MAY BE APPROPRIATE.

(6) THE COMMISSION AND EACH GOVERNING BOARD SHALL CONSIDER THE BALANCE BETWEEN INSTRUCTION, RESEARCH, AND COMMUNITY SERVICE AT THE INSTITUTION THAT IS APPROPRIATE FOR THE FACULTY MEMBERS OF EACH INSTITUTION MANAGED BY THE GOVERNING BOARD.

**23-13-105. Quality indicator system - development - implementation - reports.** (1) (a) THE COMMISSION AND THE GOVERNING BOARDS SHALL DEVELOP A QUALITY INDICATOR SYSTEM TO MEASURE THE OVERALL PERFORMANCE OF THE STATEWIDE SYSTEM OF HIGHER EDUCATION AND EACH GOVERNING BOARD'S AND EACH INSTITUTION'S PERFORMANCE IN ACHIEVING THE STATEWIDE EXPECTATIONS AND GOALS AND THE POLICY AREAS ADOPTED PURSUANT TO SECTION 23-1-105 (3.5). AT A MINIMUM, THE QUALITY INDICATOR SYSTEM SHALL MEASURE ACHIEVEMENT IN THE FOLLOWING AREAS:

(I) INSTITUTIONAL PERFORMANCE;

(II) STUDENT SATISFACTION AND SUCCESS;

(III) EMPLOYER SATISFACTION; AND

(IV) THE LEVEL OF PERFORMANCE OF THE STATEWIDE SYSTEM OF HIGHER EDUCATION.

(b) IN MEASURING INSTITUTIONAL PERFORMANCE, THE COMMISSION, AFTER CONSULTING WITH THE GOVERNING BOARDS, MAY CONSIDER, BUT IS NOT LIMITED TO, THE FOLLOWING:

(I) THE EFFICIENCY AND PRODUCTIVITY OF EACH INSTITUTION;

(II) EACH INSTITUTION'S STEWARDSHIP OF THE ASSETS HELD BY IT; AND

(III) WHETHER THE INSTITUTION IMPLEMENTS SPECIFIC PRACTICES DESIGNED TO ENHANCE FUTURE INSTITUTIONAL PERFORMANCE.

(c) IN MEASURING STUDENT SATISFACTION AND SUCCESS, THE COMMISSION, AFTER CONSULTING WITH THE GOVERNING BOARDS, MAY CONSIDER, BUT IS NOT LIMITED TO,

THE FOLLOWING:

- (I) ANTICIPATED STUDENT OUTCOMES;
- (II) THE VALUED EXPERIENCES PROVIDED BY THE INSTITUTION;
- (III) STUDENT ACCESS TO VALUED RESOURCES AND SERVICES; AND
- (IV) THE AFFORDABILITY OF THE INSTITUTION IN TERMS OF THE COST TO THE STUDENTS.

(d) IN MEASURING EMPLOYER SATISFACTION, THE COMMISSION, AFTER CONSULTING WITH THE GOVERNING BOARDS, MAY CONSIDER, BUT IS NOT LIMITED TO, THE FOLLOWING:

- (I) EMPLOYERS' SATISFACTION WITH THE ATTITUDES AND SKILLS OF NEW EMPLOYEES;
- (II) EMPLOYERS' ACCESS TO AND SATISFACTION WITH THE PROVISION OF CONTINUING PROFESSIONAL EDUCATION OPPORTUNITIES BY INSTITUTIONS; AND
- (III) EMPLOYERS' ACCESS TO AND SATISFACTION WITH THE PROVISION OF RELEVANT TECHNICAL ASSISTANCE AND APPLIED RESEARCH BY INSTITUTIONS.

(e) IN MEASURING THE LEVEL OF PERFORMANCE OF THE STATEWIDE SYSTEM OF HIGHER EDUCATION, THE COMMISSION MAY CONSIDER, BUT IS NOT LIMITED TO, THE FOLLOWING:

- (I) STUDENT ACCESS TO HIGHER EDUCATION;
- (II) THE OVERALL AFFORDABILITY OF HIGHER EDUCATION BOTH TO STUDENTS AND TO THE STATE;
- (III) THE EDUCATIONAL DEVELOPMENT OF THE CITIZENRY OF THE STATE; AND
- (IV) THE INSTITUTION'S CONTRIBUTIONS TO IDENTIFIED STATE NEEDS AND PRIORITIES.

(2) (a) ON OR BEFORE JULY 1, 1997, AND ON OR BEFORE JULY 1 OF EACH YEAR THEREAFTER, THE COMMISSION, IN COOPERATION WITH THE GOVERNING BOARDS, SHALL IDENTIFY A SET OF STATEWIDE QUALITY INDICATORS WITHIN THE AREAS SPECIFIED IN SUBSECTION (1) OF THIS SECTION TO BE REPORTED BY EVERY INSTITUTION. THE COMMISSION SHALL SELECT THE QUALITY INDICATORS TO GENERATE DATA MEASURING THE OVERALL PERFORMANCE OF THE STATEWIDE SYSTEM OF HIGHER EDUCATION WITH REGARD TO THE STATEWIDE EXPECTATIONS AND GOALS AND THE POLICY AREAS ADOPTED PURSUANT TO SECTION 23-1-105 (3.5). THE COMMISSION SHALL ANNUALLY REEXAMINE THE STATEWIDE QUALITY INDICATORS AND MODIFY THEM AS NECESSARY TO GENERATE THE NECESSARY INFORMATION FOR MEASURING THE PERFORMANCE OF THE STATEWIDE SYSTEM OF HIGHER EDUCATION.

- (b) ON OR BEFORE JULY 1, 1997, AND ON OR BEFORE JULY 1 OF EACH YEAR

THEREAFTER, EACH GOVERNING BOARD, WITH THE APPROVAL OF THE COMMISSION, SHALL SELECT WITHIN THE AREAS SPECIFIED IN SUBSECTION (1) OF THIS SECTION A SET OF QUALITY INDICATORS TO BE REPORTED BY EACH INSTITUTION UNDER THE GOVERNING BOARD'S MANAGEMENT. THE GOVERNING BOARDS SHALL SELECT SETS OF QUALITY INDICATORS THAT ARE DESIGNED TO GENERATE THE NECESSARY DATA TO MEASURE EACH INSTITUTION'S ACHIEVEMENT OF THE STATEWIDE EXPECTATIONS AND GOALS AND THE FIVE POLICY AREAS ADOPTED PURSUANT TO SECTION 23-1-105 (3.5). THE GOVERNING BOARDS SHALL ENSURE THAT EACH SET OF QUALITY INDICATORS IS UNIQUE TO THE INSTITUTION FOR WHICH THEY ARE CHOSEN, BASED ON THE INSTITUTION'S ROLE AND MISSION. FOR PURPOSES OF MEASURING SYSTEMWIDE PERFORMANCE, THE COMMISSION MAY ADD INDICATORS TO ANY INSTITUTION'S SET OF QUALITY INDICATORS THAT ARE IN ADDITION TO THOSE CHOSEN BY THE GOVERNING BOARD. EACH GOVERNING BOARD SHALL ANNUALLY REEXAMINE EACH INSTITUTION'S QUALITY INDICATORS AND MODIFY THEM AS NECESSARY TO GENERATE THE NECESSARY INFORMATION FOR MEASURING THE INSTITUTION'S PERFORMANCE.

(3) IN DEVELOPING AND IMPLEMENTING THE QUALITY INDICATOR SYSTEM, THE COMMISSION AND THE GOVERNING BOARDS MAY CONTRACT WITH ONE OR MORE PUBLIC OR PRIVATE ENTITIES WITH EXPERIENCE IN MEASURING THE QUALITY OF HIGHER EDUCATION INSTITUTIONS.

(4) (a) IN IMPLEMENTING THE QUALITY INDICATOR SYSTEM, THE COMMISSION AND THE GOVERNING BOARDS MAY OBTAIN INFORMATION THROUGH VARIOUS METHODS, INCLUDING BUT NOT LIMITED TO:

(I) REQUESTING INFORMATION FROM THE GOVERNING BOARDS AND INSTITUTIONS;

(II) DEVELOPING AND ADMINISTERING SURVEYS OF ACTUAL AND POTENTIAL EMPLOYERS AND STUDENTS, GRADUATES, AND THEIR FAMILIES; AND

(III) REQUIRING THE GOVERNING BOARDS OR INSTITUTIONS TO ADMINISTER AND COMPILE STUDENT, GRADUATE, AND EMPLOYER SURVEYS.

(b) THE GENERAL ASSEMBLY MAY APPROPRIATE ADDITIONAL MONEYS TO THE DEPARTMENT OF HIGHER EDUCATION AS NECESSARY TO DEVELOP AND ADMINISTER SURVEYS OR OTHER INFORMATION-GATHERING TOOLS PURSUANT TO THIS SECTION.

(c) EACH GOVERNING BOARD AND INSTITUTION SHALL COOPERATE TO THE FULLEST EXTENT WITH THE COMMISSION IN IMPLEMENTING THE QUALITY INDICATOR SYSTEM, INCLUDING BUT NOT LIMITED TO PROVIDING ANY INFORMATION REQUESTED BY THE COMMISSION AND ADMINISTERING AND COMPILING STUDENT, GRADUATE, AND EMPLOYER SURVEYS.

(5) (a) ON OR BEFORE DECEMBER 1, 1998, AND ON OR BEFORE DECEMBER 1 OF EACH YEAR THEREAFTER, THE COMMISSION SHALL PROVIDE TO THE PERSONS SPECIFIED IN SECTION 23-1-105 (3.5) (a), TO THE EDUCATION COMMITTEES OF THE HOUSE OF REPRESENTATIVES AND THE SENATE, AND TO EACH GOVERNING BOARD A REPORT OF THE DATA COLLECTED THROUGH THE QUALITY INDICATOR SYSTEM INDICATING THE OVERALL PERFORMANCE OF THE STATEWIDE SYSTEM OF HIGHER EDUCATION AND EACH GOVERNING BOARD'S AND INSTITUTION'S PERFORMANCE IN ACHIEVING THE STATEWIDE EXPECTATIONS AND GOALS AND THE POLICY AREAS

SPECIFIED IN SECTION 23-1-105. THE COMMISSION SHALL ALSO PROVIDE COPIES OF THE REPORT TO OTHER MEMBERS OF THE GENERAL ASSEMBLY AND MEMBERS OF THE PUBLIC ON REQUEST.

(b) IT IS THE GENERAL ASSEMBLY'S INTENT THAT THE GOVERNING BOARDS AND THE INSTITUTIONS SHALL RESPOND APPROPRIATELY TO THE INFORMATION PROVIDED IN THE QUALITY INDICATOR REPORT AND TAKE SUCH CORRECTIVE ACTIONS AS MAY BE NECESSARY TO IMPROVE THE QUALITY OF EDUCATION PROVIDED BY EACH INSTITUTION.

(6) ON OR BEFORE JANUARY 30, 1999, AND ON OR BEFORE JANUARY 30 OF EACH YEAR THEREAFTER, THE COMMISSION AND THE GOVERNING BOARDS SHALL REPORT TO A COMBINED MEETING OF THE EDUCATION COMMITTEES OF THE HOUSE OF REPRESENTATIVES AND THE SENATE ON THE INFORMATION RECEIVED FROM THE QUALITY INDICATOR SYSTEM AND THE ACTIONS BEING TAKEN OR PLANNED BY THE GOVERNING BOARDS IN RESPONSE TO THE INFORMATION.

**23-13-106. Consumer guide to state-supported institutions of higher education.** (1) BEGINNING WITH THE FISCAL YEAR 1999-2000, AND FOR EACH FISCAL YEAR THEREAFTER, THE COMMISSION SHALL ANNUALLY PUBLISH A CONSUMER GUIDE TO THE INSTITUTIONS OF HIGHER EDUCATION LOCATED IN THIS STATE. THE GUIDE SHALL INCLUDE, BUT NOT BE LIMITED TO, THE RESULTS OBTAINED FROM THE QUALITY INDICATOR SYSTEM THAT ADDRESS THE CONCERNS OF STUDENTS AND THEIR FAMILIES. THE COMMISSION SHALL PROVIDE COPIES OF THE CONSUMER GUIDE TO INDIVIDUALS UPON REQUEST AND SHALL DISSEMINATE THE CONSUMER GUIDE ANNUALLY TO ALL PUBLIC LIBRARIES AND SECONDARY SCHOOLS THROUGHOUT THE STATE. IN ADDITION, THE COMMISSION SHALL MAKE THE CONSUMER GUIDE AVAILABLE ELECTRONICALLY THROUGHOUT THE STATE. THE COMMISSION MAY CHARGE A FEE FOR EACH CONSUMER GUIDE TO ASSIST IN OFFSETTING THE COSTS INCURRED IN PRODUCING THE CONSUMER GUIDE.

(2) THE CONSUMER GUIDE MAY INCLUDE INFORMATION CONCERNING PRIVATE AND PROPRIETARY INSTITUTIONS OF HIGHER EDUCATION. TO BE INCLUDED IN THE CONSUMER GUIDE, A PRIVATE OR PROPRIETARY INSTITUTION OF HIGHER EDUCATION SHALL PROVIDE INFORMATION TO THE COMMISSION THAT IS COMPARABLE IN SUBSTANCE AND FORM TO THE INFORMATION PROVIDED BY THE STATE INSTITUTIONS OF HIGHER EDUCATION THROUGH THE QUALITY INDICATOR SYSTEM. IN PROVIDING THE INFORMATION, THE PRIVATE OR PROPRIETARY INSTITUTION OF HIGHER EDUCATION SHALL PROVIDE SUPPORTING MATERIALS TO DEMONSTRATE THE ACCURACY OF THE INFORMATION PROVIDED. THE COMMISSION SHALL ESTABLISH GUIDELINES FOR THE SUBMITTAL OF INFORMATION BY PRIVATE AND PROPRIETARY INSTITUTIONS OF HIGHER EDUCATION. THE COMMISSION MAY ESTABLISH A TIMELINE FOR PHASING-IN INCLUSION OF INFORMATION CONCERNING PRIVATE AND PROPRIETARY INSTITUTIONS OF HIGHER EDUCATION IN THE CONSUMER GUIDE.

(3) THE COMMISSION MAY CONTRACT WITH ONE OR MORE PRIVATE OR PUBLIC ENTITIES FOR PREPARATION AND PUBLICATION OF THE CONSUMER GUIDE TO THE INSTITUTIONS OF HIGHER EDUCATION LOCATED IN THE STATE.

**23-13-107. Funding incentives to achieve the statewide expectations and goals.** (1) BEGINNING IN THE FISCAL YEAR 1999-2000, THE COMMISSION SHALL

ANNUALLY REVIEW EACH GOVERNING BOARD'S AND EACH INSTITUTION'S PERFORMANCE BASED ON DATA RECEIVED THROUGH THE QUALITY INDICATOR SYSTEM AND DETERMINE WHETHER THE GOVERNING BOARD OR INSTITUTION HAS ACHIEVED OR IS MAKING SATISFACTORY PROGRESS TOWARD ACHIEVING THE STATEWIDE EXPECTATIONS AND GOALS. FOR EACH FISCAL YEAR, THE COMMISSION MAY MAKE THE FOLLOWING RECOMMENDATIONS:

(a) IF THE COMMISSION DETERMINES THAT A GOVERNING BOARD OR INSTITUTION IS NOT MAKING SATISFACTORY PROGRESS TOWARD ACHIEVING ONE OR MORE OF THE STATEWIDE EXPECTATIONS AND GOALS, IT MAY RECOMMEND TO THE JOINT BUDGET COMMITTEE THAT THE GOVERNING BOARD BE REQUIRED TO SET ASIDE UP TO ONE PERCENT OF ITS GENERAL FUND APPROPRIATION FOR SPECIFIC APPLICATION TO IMPROVING ITS PERFORMANCE ON THE STATEWIDE EXPECTATIONS AND GOALS. IF THE JOINT BUDGET COMMITTEE ADOPTS THE COMMISSION'S RECOMMENDATION, THE AMOUNT TO BE SET ASIDE SHALL BE SPECIFIED IN A FOOTNOTE TO THE GENERAL APPROPRIATIONS BILL.

(b) IF THE COMMISSION DETERMINES THAT A GOVERNING BOARD OR INSTITUTION HAS ACHIEVED OR IS MAKING SATISFACTORY PROGRESS TOWARD ACHIEVING THE STATEWIDE EXPECTATIONS AND GOALS, IT MAY RECOMMEND TO THE JOINT BUDGET COMMITTEE THAT THE GOVERNING BOARD OR INSTITUTION RECEIVE ADDITIONAL FUNDING AS A REWARD FOR ACHIEVEMENT.

**23-13-108. Enrollment - statewide plan.** (1) ON OR BEFORE JULY 1, 1998, THE COMMISSION, IN CONJUNCTION WITH THE GOVERNING BOARDS, SHALL ADOPT A STATEWIDE ENROLLMENT PLAN THAT SHALL INCLUDE ENROLLMENT PLANS DEVELOPED BY THE COMMISSION FOR EACH TYPE OF INSTITUTION. THE STATEWIDE AND INSTITUTIONAL TYPE ENROLLMENT PLANS SHALL TAKE INTO ACCOUNT:

- (a) THE OVERALL COSTS OF ACCOMMODATING GROWTH;
- (b) THE USE OF UNDERUTILIZED INSTITUTIONS;
- (c) REGIONAL NEEDS; AND
- (d) STUDENT DEMAND FOR DIFFERENT KINDS OF EDUCATIONAL EXPERIENCES.

**SECTION 2.** 23-1-104 (1) (a) (I), Colorado Revised Statutes, 1995 Repl. Vol., is amended, and the said 23-1-104 is further amended BY THE ADDITION OF A NEW SUBSECTION, to read:

**23-1-104. Financing the system of postsecondary education.** (1) (a) (I) The general assembly shall make annual appropriations of general fund moneys and of cash funds received from tuition income pursuant to the provisions of section 23-1-103.5 as a single line item to each governing board for the operation of its campuses consistent with the distribution percentages developed by the commission pursuant to section 23-1-105 (3). EXCEPT AS OTHERWISE PROVIDED IN SUBSECTION (1.5) OF THIS SECTION, each governing board shall allocate said appropriations to the institutions under its control in the manner deemed most appropriate by such governing board.

(1.5) IN ALLOCATING GENERAL FUND APPROPRIATIONS, EACH GOVERNING BOARD SHALL CONSIDER THE PROGRESS MADE BY THE INSTITUTIONS UNDER ITS CONTROL TOWARD ACHIEVING THE STATEWIDE EXPECTATIONS AND GOALS SPECIFIED IN SECTION 23-13-104, AS MEASURED BY DATA RECEIVED THROUGH THE QUALITY INDICATOR SYSTEM ESTABLISHED PURSUANT TO SECTION 23-13-105. THE GOVERNING BOARD SHALL ENSURE THAT ANY AMOUNT REQUIRED TO BE SET ASIDE FOR APPLICATION TO ACHIEVING THE STATEWIDE EXPECTATIONS AND GOALS PURSUANT TO SECTION 23-13-107 (1) (a) IS ALLOCATED FOR THAT PURPOSE. IN ADDITION, IN ALLOCATING ANY GENERAL FUND APPROPRIATIONS RECEIVED UNDER A POLICY AREA, AS PROVIDED IN SECTION 23-1-105 (3.5), EACH GOVERNING BOARD SHALL ENSURE THAT THE MONEYS RECEIVED ARE USED TO ACHIEVE OR MAINTAIN THE GOALS SPECIFIED FOR THE POLICY AREA.

**SECTION 3.** 23-1-105 (3), Colorado Revised Statutes, 1995 Repl. Vol., is amended BY THE ADDITION OF A NEW PARAGRAPH to read:

**23-1-105. Duties and powers of the commission with respect to appropriations.** (3) The commission shall establish, after consultation with the governing boards of institutions, the distribution formula of general fund appropriations and the distribution formula of appropriations of cash funds received as tuition income by the general assembly to each governing board under the following principles:

(d) TO REFLECT THE GOVERNING BOARD'S AND THE INSTITUTION'S LEVEL OF ACHIEVEMENT OF THE STATEWIDE EXPECTATIONS AND GOALS SPECIFIED IN SECTION 23-13-104, AS MEASURED BY DATA FROM THE QUALITY INDICATOR SYSTEM ESTABLISHED PURSUANT TO SECTION 23-13-105.

**SECTION 4.** 23-1-105 (2) and (3.5) (a), Colorado Revised Statutes, 1995 Repl. Vol., are amended, and the said 23-1-105 is further amended BY THE ADDITION OF A NEW SUBSECTION, to read:

**23-1-105. Duties and powers of the commission with respect to appropriations.** (2) The commission shall make annual systemwide funding recommendations, after consultation with the governing boards of institutions, for the state-supported institutions of higher education to the general assembly and the governor. IN MAKING ITS RECOMMENDATIONS, THE COMMISSION SHALL CONSIDER EACH GOVERNING BOARD'S AND EACH INSTITUTION'S LEVEL OF ACHIEVEMENT OF THE STATEWIDE EXPECTATIONS AND GOALS SPECIFIED IN SECTION 23-13-104, AS MEASURED BY DATA COLLECTED THROUGH THE QUALITY INDICATOR SYSTEM ESTABLISHED IN SECTION 23-13-105.

(3.5) (a) Prior to January 1, 1994, and prior to January 1 of each even-numbered year thereafter, the commission, in collaboration with the governor, the speaker of the house of representatives, the president of the senate, the majority and minority leaders of the house of representatives and the senate, THE CHAIRPERSONS OF THE EDUCATION COMMITTEES OF THE HOUSE OF REPRESENTATIVES AND THE SENATE, and the joint budget committee, shall identify UP TO five policy areas for additional funding within the state system of higher education. Funding for such policy areas, if approved by the general assembly, shall be in addition to base funding for the state system of higher education. For the purposes of this section, "base funding" means the

appropriation distributed pursuant to the distribution formula established by the commission pursuant to subsection (3) of this section.

(3.7) (a) IN ADDITION TO RECOMMENDING POLICY AREAS PURSUANT TO SUBSECTION (3.5) OF THIS SECTION, FOR FISCAL YEAR 1999-2000 AND FOR FISCAL YEARS THEREAFTER, THE PERSONS IDENTIFIED IN PARAGRAPH (a) OF SUBSECTION (3.5) OF THIS SECTION, AS A GROUP, MAY RECOMMEND TO THE JOINT BUDGET COMMITTEE THAT THE GENERAL ASSEMBLY APPROPRIATE MONEYS TO PROVIDE INCENTIVES AND REWARDS TO THOSE STATE-SUPPORTED INSTITUTIONS OF HIGHER EDUCATION THAT HAVE ACHIEVED OR ARE MAKING SATISFACTORY PROGRESS TOWARD ACHIEVING THE STATEWIDE EXPECTATIONS AND GOALS SPECIFIED IN SECTION 23-13-104. THE GROUP SHALL BASE ITS RECOMMENDATION ON DATA COLLECTED THROUGH THE QUALITY INDICATOR SYSTEM AND ANNUALLY REPORTED PURSUANT TO SECTION 23-13-105. ANY MONEYS APPROPRIATED PURSUANT TO THIS SUBSECTION (3.7) SHALL BE IN ADDITION TO ANY MONEYS THAT MAY BE APPROPRIATED AS BASE FUNDING OR TO FUND THE POLICY AREAS SELECTED PURSUANT TO SUBSECTION (3.5) OF THIS SECTION.

(b) THE COMMISSION SHALL DISTRIBUTE ANY MONEYS APPROPRIATED PURSUANT TO THIS SUBSECTION (3.7) TO EACH GOVERNING BOARD BASED ON THE LEVEL OF ACHIEVEMENT OF THE STATEWIDE EXPECTATIONS AND GOALS SPECIFIED IN SECTION 23-13-104 BY THE INSTITUTIONS MANAGED BY EACH GOVERNING BOARD, AS MEASURED BY DATA RECEIVED THROUGH THE QUALITY INDICATOR SYSTEM ESTABLISHED IN SECTION 23-13-105. MONEYS APPROPRIATED UNDER THIS SUBSECTION (3.7) SHALL BE INCLUDED IN THE GENERAL APPROPRIATIONS BILL IN THE LINE ITEM APPROPRIATION FOR EACH GOVERNING BOARD WITH A LETTERED NOTE EXPLANATION OF THE PERCENTAGE APPROPRIATED PURSUANT TO THIS SUBSECTION (3.7).

(c) BEGINNING WITH THE RECOMMENDATIONS MADE BY THE COMMISSION FOR FISCAL YEAR 2000-01, AND FOR EACH FISCAL YEAR THEREAFTER, THE COMMISSION SHALL MAKE A RECOMMENDATION TO THE JOINT BUDGET COMMITTEE CONCERNING WHETHER AN AMOUNT EQUAL TO OR LESS THAN THE AMOUNT APPROPRIATED TO A GOVERNING BOARD UNDER THIS SUBSECTION (3.7) FOR THE PREVIOUS FISCAL YEAR SHOULD BE INCLUDED TO INCREASE THE AMOUNT APPROPRIATED TO THE GOVERNING BOARD AS BASE FUNDING FOR THE COMING FISCAL YEAR.

**SECTION 5.** Part 3 of article 53 of title 22, Colorado Revised Statutes, 1995 Repl. Vol., is amended BY THE ADDITION OF A NEW SECTION to read:

**22-53-304.5. Study of graduate education and research.** (1) THE COMMISSION SHALL REVIEW AND MAY RECOMMEND LEGISLATION CONCERNING THE ROLE OF GRADUATE EDUCATION AND RESEARCH IN COLORADO. IN CONSIDERING THE NEEDS OF THE STATE IN THE AREA OF GRADUATE RESEARCH AND EDUCATION, THE COMMISSION SHALL INCLUDE, BUT IS NOT LIMITED TO, THE FOLLOWING AREAS:

(a) THE ROLE OF GRADUATE RESEARCH AND EDUCATION IN STATEWIDE ECONOMIC DEVELOPMENT;

(b) THE ROLE OF GRADUATE EDUCATION AT EACH AUTHORIZED INSTITUTION;

(c) THE ROLE OF GRADUATE STUDENTS IN TEACHING AT INSTITUTIONS OF HIGHER

EDUCATION;

- (d) RECRUITMENT OF GRADUATE STUDENTS;
- (e) FUNDING OF GRADUATE EDUCATION;
- (f) STATE FUNDING OF GRADUATE RESEARCH; AND
- (g) THE STATE'S ROLE IN PURCHASING APPLIED RESEARCH.

(2) ANY LEGISLATION RECOMMENDED BY THE COMMISSION PURSUANT TO THIS SECTION SHALL BE TREATED AS BILLS RECOMMENDED BY AN INTERIM LEGISLATIVE COUNCIL COMMITTEE FOR PURPOSES OF ANY INTRODUCTION DEADLINES OR BILL LIMITATIONS IMPOSED BY THE JOINT RULES OF THE GENERAL ASSEMBLY.

**SECTION 6.** 23-1-107 (1), (2) (a), and (3), Colorado Revised Statutes, 1995 Repl. Vol., are amended to read:

**23-1-107. Duties and powers of the commission with respect to program approval, review, reduction, and discontinuance.** (1) The commission shall review and approve, consistent with the institutional role and mission and THE statewide ~~educational needs~~ EXPECTATIONS AND GOALS SPECIFIED IN SECTION 23-13-104, the proposal for any new program before its establishment in any institution and transmit its decision to the institution within ~~one hundred twenty days~~ A REASONABLE TIME after receipt of such proposal. ~~The commission and the institution may mutually agree to an extension of not more than forty days. Failure of the commission to submit its decision shall be deemed approval of the proposal for a new program.~~ No institution shall establish a new program without first receiving the approval of the commission. As used in this subsection (1), "new program" includes any new curriculum ~~which~~ THAT would lead to a new vocational or academic degree. The commission shall further define what constitutes an academic or vocational program and shall establish criteria or guidelines ~~which~~ THAT define programs and procedures for approval of new academic or vocational program offerings.

(2) (a) The commission shall establish, after consultation with the governing boards of institutions, policies and criteria for the discontinuance of academic or vocational programs. IN ADOPTING THE POLICIES AND CRITERIA, THE COMMISSION SHALL ENSURE THAT THEY CONFORM TO ACHIEVEMENT OF THE STATEWIDE EXPECTATIONS AND GOALS SPECIFIED IN SECTION 23-13-104. The commission may direct the respective governing boards of institutions, including the board of regents of the university of Colorado, to discontinue an academic or vocational degree program area, as program area is defined by commission policies.

(3) Each governing board of the state-supported institutions of higher education shall submit to the commission a plan describing the procedures and schedule for periodic program reviews and evaluation of each academic program at each institution consistent with the STATEWIDE EXPECTATIONS AND GOALS SPECIFIED IN SECTION 23-13-104 AND THE role and mission of each institution. The information to be provided to the commission shall include, but shall not be limited to, the procedures for using internal and external evaluators, the sequence of such reviews,

and the anticipated use of the evaluations.

**SECTION 7.** The introductory portion to 23-1-108 (1), Colorado Revised Statutes, 1995 Repl. Vol., is amended to read:

**23-1-108. Duties and powers of the commission with regard to systemwide planning.** (1) The commission shall develop and submit to the governor and the general assembly a master plan for Colorado postsecondary education. IN DEVELOPING THE MASTER PLAN, THE COMMISSION SHALL EXAMINE THE STATEWIDE EXPECTATIONS AND GOALS SPECIFIED IN SECTION 23-13-104 AND RECOMMEND THAT THE GENERAL ASSEMBLY AMEND THE STATEWIDE EXPECTATIONS AND GOALS IF NECESSARY. FOLLOWING AMENDMENT OF THE STATEWIDE EXPECTATIONS AND GOALS, THE COMMISSION SHALL DESIGN THE MASTER PLAN TO ASSURE ACHIEVEMENT OF THE STATEWIDE EXPECTATIONS AND GOALS IN THE MOST TIMELY, EFFICIENT, AND EFFECTIVE MANNER. This plan shall recognize the importance of private and proprietary institutions and the role and relationship of elementary and secondary education in the state, though their inclusion in the plan in no way implies control or state authority over their operations. The commission, after consultation with the governing boards of institutions and as a part of the master planning process, shall have the authority to:

**SECTION 8. Repeal.** 23-1-117, Colorado Revised Statutes, 1995 Repl. Vol., is repealed.

**SECTION 9.** 24-113-104 (3) (b), Colorado Revised Statutes, 1988 Repl. Vol., is repealed as follows:

**24-113-104. Competition with private enterprise by institutions of higher education - rules.** (3) (b) ~~The governing board of each institution of higher education shall submit semiannual reports to the commission regarding the complaint procedure established by the governing board.~~

**SECTION 10.** 23-1-102 (6), Colorado Revised Statutes, 1995 Repl. Vol., is amended to read:

**23-1-102. Commission abolished - commission reestablished - terms of office.** (6) The commission shall meet ~~not less than once a month~~ and as often as necessary to carry out its duties as defined in this article.

**SECTION 11.** 23-1-105 (6), Colorado Revised Statutes, 1995 Repl. Vol., is repealed as follows:

**23-1-105. Duties and powers of the commission with respect to appropriations.** (6) ~~The executive director shall make funding recommendations to the governor and the general assembly, after consideration of budget requests submitted to the executive director, for the state council on the arts and the state historical society, as divisions of the department of higher education, and for the operation of the Colorado advanced technology institute, and for such other special programs as the general assembly shall establish by statute. The general assembly shall make annual appropriations, in such form as the general assembly shall determine appropriate, for the operation of the divisions and the programs described~~

in this subsection (6):

**SECTION 12.** Part 2 of article 80 of title 24, Colorado Revised Statutes, 1988 Repl. Vol., as amended, is amended BY THE ADDITION OF A NEW SECTION to read:

**24-80-202.5. Funding recommendations.** THE PRESIDENT OF THE SOCIETY SHALL MAKE FUNDING RECOMMENDATIONS TO THE GOVERNOR AND THE GENERAL ASSEMBLY FOR THE OPERATION OF THE STATE HISTORICAL SOCIETY. THE GENERAL ASSEMBLY SHALL MAKE ANNUAL APPROPRIATIONS, IN SUCH FORM AS THE GENERAL ASSEMBLY SHALL DETERMINE APPROPRIATE, FOR THE OPERATION OF THE STATE HISTORICAL SOCIETY.

**SECTION 13.** Article 9 of title 23, Colorado Revised Statutes, 1995 Repl. Vol., is amended BY THE ADDITION OF A NEW SECTION to read:

**23-9-104.5. Funding recommendations.** THE CHAIRMAN OF THE COUNCIL SHALL MAKE FUNDING RECOMMENDATIONS TO THE GOVERNOR AND THE GENERAL ASSEMBLY FOR THE OPERATION OF THE COUNCIL. THE GENERAL ASSEMBLY SHALL MAKE ANNUAL APPROPRIATIONS, IN SUCH FORM AS THE GENERAL ASSEMBLY SHALL DETERMINE APPROPRIATE, FOR THE OPERATION OF THE COUNCIL.

**SECTION 14.** Article 11 of title 23, Colorado Revised Statutes, 1995 Repl. Vol., is amended BY THE ADDITION OF A NEW SECTION to read:

**23-11-106.5. Funding recommendations.** THE CHAIRMAN OF THE COMMISSION SHALL MAKE FUNDING RECOMMENDATIONS TO THE GOVERNOR AND THE GENERAL ASSEMBLY FOR THE OPERATION OF THE INSTITUTE. THE GENERAL ASSEMBLY SHALL MAKE ANNUAL APPROPRIATIONS, IN SUCH FORM AS THE GENERAL ASSEMBLY SHALL DETERMINE APPROPRIATE, FOR THE OPERATION OF THE INSTITUTE.

**SECTION 15.** 23-1-120 (8), Colorado Revised Statutes, 1995 Repl. Vol., is repealed as follows:

**23-1-120. Commission directive - incentives for improvement initiative grants.** (8) ~~The commission shall report annually to the general assembly on the development and implementation of this section.~~

**SECTION 16.** 23-7-103 (2.5), Colorado Revised Statutes, 1995 Repl. Vol., is repealed as follows:

**23-7-103. Presumptions and rules for determination of status.** (2.5) ~~(a) The Colorado commission on higher education may, upon the application and request of an institution, make reasonable and appropriate exceptions to the presumptions and rules in this section and classify a student for tuition purposes as in-state where classification as out-of-state is due to unusual or exceptional family circumstances and would contravene the purpose of this section or place an undue hardship on such person. Such persons include, but are not limited to, an unemancipated minor who has maintained a continued residence in the state of Colorado through graduation from a Colorado high school and whose parents are not domiciled in Colorado or an unemancipated minor who becomes the ward of a legal guardian not domiciled in~~

Colorado as a result of the death of the minor's parent or legal guardian who had been domiciled in Colorado:

~~(b) Any exception made under paragraph (a) of this subsection (2.5) may be made only when such person has graduated or will graduate from a Colorado high school and has not established a domicile in another state.~~

**SECTION 17. No appropriation.** The general assembly has determined that this act can be implemented within existing appropriations, and therefore no separate appropriation of state moneys is necessary to carry out the purposes of this act.

**SECTION 18. Safety clause.** The general assembly hereby finds, determines, and declares that this act is necessary for the immediate preservation of the public peace, health, and safety.

Approved: June 5, 1996