

CHAPTER 244

EDUCATION - UNIVERSITIES AND COLLEGES

SENATE BILL 99-163

BY SENATORS Feeley, Dyer, Matsunaka, Pascoe, Phillips, Rupert, Teck, and Weddig;
also REPRESENTATIVES McPherson, Coleman, Plant, Saliman, Tupa, Witwer, and Zimmerman.

AN ACT

CONCERNING THE ESTABLISHMENT OF THE COLORADO INSTITUTE FOR TELECOMMUNICATION
EDUCATION, AND MAKING AN APPROPRIATION IN CONNECTION THEREWITH.

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

SECTION 1. Title 23, Colorado Revised Statutes, is amended BY THE
ADDITION OF A NEW ARTICLE to read:

ARTICLE 20.3
Communications and Information Technology

23-20.3-101. Legislative declaration. (1) THE GENERAL ASSEMBLY HEREBY
FINDS AND DECLARES THAT, WITH THE DEVELOPMENT OF THE TELECOMMUNICATIONS
INDUSTRY IN COLORADO AND WITH THE PUBLIC POLICY CHANGES THE GENERAL
ASSEMBLY HAS INITIATED, COLORADO HAS THE OPPORTUNITY TO BECOME A
WORLD-CLASS CENTER FOR THE TELECOMMUNICATIONS AND INFORMATION
TECHNOLOGY INDUSTRY. ANY ECONOMIC DEVELOPMENT PLAN OF THE STATE THAT
INCLUDES HIGH TECHNOLOGY MUST BE FOUNDED UPON A STRONG EDUCATIONAL BASE.
THE WORK FORCE AVAILABLE FOR COMPANIES TO DRAW UPON MUST BE HIGHLY
EDUCATED AND WORKERS EMPLOYED BY THE COMPANIES MUST HAVE ACCESS TO
CONTINUING EDUCATIONAL OPPORTUNITIES. IN ADDITION, TECHNOLOGY RESEARCH,
THE DEVELOPMENT AND REFINEMENT OF TECHNOLOGY, AND THE UNDERSTANDING OF
AND CONTRIBUTION TO THE POLICIES GOVERNING TECHNOLOGY WILL HAVE A GREAT
IMPACT UPON THE STATE, BOTH IN TERMS OF CONTRIBUTING TO THE STATE'S
ECONOMIC DEVELOPMENT AND PROVIDING A DIRECT BENEFIT TO CITIZENS OF THIS
STATE. THEREFORE, THE GENERAL ASSEMBLY FINDS THAT THE AVAILABILITY OF
TELECOMMUNICATIONS-RELATED EDUCATION PROGRAMS IS A MATTER OF GREAT
STATEWIDE CONCERN.

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

(2) THE GENERAL ASSEMBLY FURTHER FINDS AND DECLARES THAT CURRENT HIGHER EDUCATION PROGRAMS WITHIN THE STATE CAN SERVE AS THE CORE OF A MORE COMPREHENSIVE TELECOMMUNICATIONS EDUCATIONAL PROGRAM THAT PROVIDES SKILLS, TRAINING, CERTIFICATION, AND SHORT COURSES, AS WELL AS DEGREE-BASED LEARNING OPPORTUNITIES FOR TRADITIONAL AND NONTRADITIONAL STUDENT MARKETS. MOREOVER, THE INTEGRATION OF SOUND PEDAGOGICAL APPROACHES WITH CONTEMPORARY TECHNOLOGY HOLDS THE PROMISE OF TRANSFORMING THE WAY STUDENTS ARE TAUGHT AND LEARN, BOTH WITHIN THE CONTEXT OF A TRADITIONAL HIGHER EDUCATION EXPERIENCE AND IN THE LIFE-LONG LEARNING WHICH IS BECOMING A PREREQUISITE OF AN INCREASINGLY TECHNOLOGICAL SOCIETY.

(3) THE GENERAL ASSEMBLY INTENDS THAT PROGRAM DELIVERY BE BASED ON THE MOST MODERN TECHNOLOGIES, INCLUDING VIDEO, ON-LINE, AND CD-ROMS, USING THE INTERNET, SATELLITES, AND OTHER FORMS OF COMMUNICATIONS SYSTEMS.

23-20.3-102. Institute established. (1) THERE IS HEREBY ESTABLISHED AT THE UNIVERSITY OF COLORADO AN AUXILIARY UNIT TO BE KNOWN AS THE COLORADO INSTITUTE FOR TELECOMMUNICATION EDUCATION, REFERRED TO IN THIS ARTICLE AS THE "INSTITUTE". THE INSTITUTE SHALL PROMOTE, SUPPORT, ENHANCE, AND PROVIDE INTERDISCIPLINARY EDUCATION THAT RELATES TO TELECOMMUNICATIONS AND INFORMATION TECHNOLOGY, INCLUDING INTERDISCIPLINARY CURRICULUM DEVELOPMENT AMONG PARTICIPATING PUBLIC AND PRIVATE PROVIDERS OF HIGHER EDUCATION IN THE STATE. ALTHOUGH LOCATED AT THE UNIVERSITY OF COLORADO, THE INSTITUTE SHALL DEVELOP OPERATIONAL PARTNERSHIPS WITH INDUSTRY AND OTHER HIGHER EDUCATION PROVIDERS IN THE STATE.

(2) AT A MINIMUM, THE INSTITUTE SHALL:

(a) OPERATE AS AN INTERFACE BETWEEN HIGHER EDUCATION INSTITUTIONS IN THE STATE AND EDUCATIONAL MARKETS CONNECTED WITH THE TELECOMMUNICATION AND INFORMATION TECHNOLOGY BUSINESSES AND INDUSTRY IN THE STATE;

(b) PROVIDE AN EDUCATIONAL BROKERAGE SERVICE FOR STUDENT MARKETS; AND

(c) SUPPORT DELIVERY SYSTEMS FOR DISTANCE EDUCATION PROGRAMS.

(3) IN CONJUNCTION WITH THE INSTITUTE, OTHER HIGHER EDUCATION PARTNERS MAY:

(a) SUBJECT TO THE APPROVAL OF THE COLORADO COMMISSION ON HIGHER EDUCATION, DEVELOP, PROVIDE, AND DELIVER EDUCATIONAL PROGRAMS, INCLUDING SPECIALIZED EDUCATION THAT PROVIDES SKILLS AND TRAINING, SHORT COURSES, AND CERTIFICATE AS WELL AS BACCALAUREATE AND PROFESSIONAL POST-GRADUATE PROGRAMS;

(b) PROVIDE GREATER EMPHASIS ON SCHOOL-TO-WORK TRANSITIONS INCLUDING CAREER COUNSELING; AND

(c) IDENTIFY DESIRABLE EDUCATIONAL OUTCOMES THAT PROMOTE STUDENT PERFORMANCE IN THE WORK PLACE.

(4) INDUSTRY AND REPRESENTATIVES OF THE BUSINESS SECTOR, AS PARTNERS OF THE INSTITUTE MAY:

(a) ARTICULATE EDUCATIONAL NEEDS OF EMPLOYEES AND ESTABLISH MARKET DEMAND FOR THE EDUCATIONAL SERVICES OF THE INSTITUTE AND ITS HIGHER EDUCATION PARTNERS;

(b) MARKET HIGHER EDUCATION TELECOMMUNICATIONS PROGRAMS TO POTENTIAL STUDENTS;

(c) PROVIDE INTERNSHIPS TO POTENTIAL EMPLOYEES ENROLLED IN TELECOMMUNICATIONS PROGRAMS FOSTERED BY THE INSTITUTE;

(d) GUARANTEE JOBS TO STUDENTS WHO SUCCESSFULLY COMPLETE PROGRAMS;

(e) PROVIDE PERSONNEL QUALIFIED TO TEACH COURSES AND DEVELOP PROGRAMS;
AND

(f) PROVIDE RESOURCES THAT FACILITATE THE INSTITUTE'S OBJECTIVES.

23-20.3-103. Administration. AN EXECUTIVE DIRECTOR OF THE INSTITUTE SHALL BE APPOINTED BY THE PRESIDENT OF THE UNIVERSITY OF COLORADO WITH THE CONCURRENCE OF THE REGENTS OF THE UNIVERSITY OF COLORADO AND SHALL REPORT TO THE PRESIDENT OF THE UNIVERSITY OF COLORADO. PROGRAMS AND POLICIES OF THE INSTITUTE SHALL COMPLY WITH THE LAWS ENACTED BY THE BOARD OF REGENTS OF THE UNIVERSITY OF COLORADO PURSUANT TO SECTION 23-20-112, STATE STATUTES, AND RULES OF THE COLORADO COMMISSION ON HIGHER EDUCATION.

23-20.3-104. Advisory board. (1) AN ADVISORY BOARD IS HEREBY CREATED THAT WILL PLAY A SIGNIFICANT ROLE IN THE ESTABLISHMENT OF POLICIES AND DIRECTION FOR THE INSTITUTE INCLUDING, BUT NOT LIMITED TO, CREATING:

(a) DEFINABLE GOALS OF STATEWIDE INTEREST FOR THE INSTITUTE;

(b) METHODS OF ACCOUNTABILITY TO MEASURE PROGRESS AT THE INSTITUTE;

(c) LINKAGES FOR THE INSTITUTE TO EXTERNAL CONSTITUENCIES, INCLUDING BUSINESSES AND INDUSTRIES IN THE STATE AND FEDERAL AND STATE AGENCIES;

(d) ONGOING DEVELOPMENT ACTIVITIES TO ENSURE THE AVAILABILITY OF SUFFICIENT FISCAL AND CAPITAL RESOURCES FOR APPROPRIATE GROWTH FOR THE INSTITUTE; AND

(2) THE ADVISORY BOARD SHALL DELIVER AN ANNUAL REPORT TO THE RESPECTIVE GOVERNING BOARDS AND THE COLORADO COMMISSION ON HIGHER EDUCATION.

(3) THE ADVISORY BOARD SHALL CONSIST OF:

(a) THE PRESIDENT OF THE UNIVERSITY OF COLORADO, WHO SHALL BE THE CHAIRPERSON OF THE ADVISORY BOARD;

(b) A REPRESENTATIVE APPOINTED FROM EACH OF THE HIGHER EDUCATION PARTNERS CHOOSING TO PARTICIPATE IN THE INSTITUTE; AND

(c) A REPRESENTATIVE APPOINTED FROM EACH OF THE BUSINESSES AND INDUSTRIES CHOOSING TO PARTICIPATE IN THE INSTITUTE.

(4) THE ADVISORY BOARD MAY APPOINT AN EXECUTIVE COMMITTEE COMPOSED OF THE CHAIRPERSON OF THE ADVISORY BOARD, THREE REPRESENTATIVES FROM BUSINESS AND INDUSTRY, FOUR FROM HIGHER EDUCATION PROVIDERS, AND THE EXECUTIVE DIRECTOR OF THE DEPARTMENT OF HIGHER EDUCATION OR HIS OR HER DESIGNEE. THE EXECUTIVE COMMITTEE SHALL BE DIRECTED BY THE CHAIRPERSON OF THE ADVISORY BOARD AND IS RESPONSIBLE FOR RECOMMENDING POLICIES TO THE FULL ADVISORY BOARD FOR ITS CONSIDERATION.

23-20.3-105. Prospective curricula and development plans to be submitted.

ON OR BEFORE JANUARY 1, 2000, THE EXECUTIVE DIRECTOR OF THE INSTITUTE, WORKING IN COOPERATION WITH THE ADVISORY BOARD, SHALL DEVELOP A PLAN THAT INCLUDES A DESCRIPTION OF THE EDUCATIONAL PROGRAMS TO BE PROVIDED AND DELIVERED BY THE INSTITUTE, THE MARKETS TO BE SERVED BY INSTITUTE PROGRAMS, AND REVENUE GENERATION, CAPITAL COSTS, AND ESTIMATED OPERATING EXPENSE FOR THE INSTITUTE FOR A PERIOD OF AT LEAST FIVE YEARS AFTER ADOPTION OF THE PLAN. THE PLAN SHALL BE SUBMITTED TO THE BOARD OF REGENTS OF THE UNIVERSITY OF COLORADO AND TO THE COLORADO COMMISSION ON HIGHER EDUCATION FOR CONCURRENCE.

23-20.3-106. Policies and procedures. (1) THE EXECUTIVE DIRECTOR OF THE INSTITUTE, IN COOPERATION WITH THE ADVISORY BOARD, SHALL ADOPT POLICIES AND PROCEDURES FOR THE OPERATION OF THE INSTITUTE INCLUDING, BUT NOT LIMITED TO, THE FOLLOWING:

(a) TUITION TO BE CHARGED TO STUDENTS ENROLLED AT THE INSTITUTE CONSISTENT WITH THE POLICIES OF THE REGENTS OF THE UNIVERSITY OF COLORADO AND THE COLORADO COMMISSION ON HIGHER EDUCATION;

(b) ARRANGEMENTS WITH PARTICIPATING HIGHER EDUCATION PARTNERS TO ENSURE THAT STUDENTS RECEIVE CREDIT FOR COURSES TAKEN; AND

(c) ARRANGEMENTS FOR THE USE OF TECHNOLOGY TO DISTRIBUTE PROGRAMS AMONG THE PARTICIPATING PROVIDERS OF HIGHER EDUCATION AND TO LOCATIONS CONVENIENT TO THE BUSINESS AND STUDENT MARKETS.

SECTION 2. Appropriation. (1) In addition to any other appropriation, there is hereby appropriated, to the regents of the university of Colorado, for the fiscal year beginning July 1, 1999, the sum of three hundred fifty-four thousand dollars (\$354,000) and 4.0 FTE, or so much thereof as may be necessary, for the implementation of this act. Said sum shall be from cash funds exempt received by the university of Colorado from gifts, grants, and donations.

(2) No new direct general fund moneys shall be used to implement the provisions of this act.

SECTION 3. Effective date. This act shall take effect at 12:01 a.m. on the day following the expiration of the ninety-day period after final adjournment of the general assembly that is allowed for submitting a referendum petition pursuant to article V, section 1 (3) of the state constitution; except that, if a referendum petition is filed against this act or an item, section, or part of this act within such period, then the act, item, section, or part, if approved by the people, shall take effect on the date of the official declaration of the vote thereon by proclamation of the governor.

Approved: May 28, 1999