

CHAPTER 31

EDUCATION - UNIVERSITIES AND COLLEGES

HOUSE BILL 99-1047

BY REPRESENTATIVES Allen, Clapp, Dean, Fairbank, Hefley, King, Larson, Lee, McElhany, McKay, Paschall, Pfiffner, Scott, and Stengel;
also SENATORS Arnold, Andrews, Chlouber, Hillman, Powers, and Sullivant.

AN ACT

CONCERNING EXTENSION OF FINANCIAL AID TO STUDENTS ENROLLED IN PRIVATE OCCUPATIONAL SCHOOLS.

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

SECTION 1. The introductory portion to 23-3.5-102 (3) (a), Colorado Revised Statutes, is amended, and the said 23-3.5-102 (3) (a) is further amended BY THE ADDITION OF A NEW SUBPARAGRAPH, to read:

23-3.5-102. Definitions. As used in this article, unless the context otherwise requires:

(3) (a) "Institution of higher education" means an educational institution operating in this state ~~which~~ THAT:

(IV) WAS IN OPERATION IN THIS STATE AS OF JANUARY 1, 1999, OR HAS BEEN IN OPERATION IN THIS STATE FOR A MINIMUM OF TEN ACADEMIC YEARS.

SECTION 2. 23-3.5-102 (3) (b), Colorado Revised Statutes, is amended to read:

23-3.5-102. Definitions. As used in this article, unless the context otherwise requires:

(3) (b) The term "institution of higher education" does not include any pervasively sectarian or theological institution or any branch program of an institution of higher education whose principal campus and facilities are located outside this state, UNLESS THE INSTITUTION OPERATING THE BRANCH PROGRAM HAS RECEIVED A CERTIFICATE OF APPROVAL FROM THE PRIVATE OCCUPATIONAL SCHOOL DIVISION IN ACCORDANCE

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

WITH THE PROVISIONS OF ARTICLE 59 OF TITLE 12, C.R.S.

SECTION 3. 23-3.7-102 (3), Colorado Revised Statutes, is amended to read:

23-3.7-102. Definitions. As used in this article, unless the context otherwise requires:

(3) "Nonpublic institution of higher education" means an institution of higher education operating in this state ~~which~~ THAT:

(a) Receives no support from general fund moneys in support of its operating costs;

(b) Admits as regular students only persons having a certification of graduation from a school providing secondary education or the recognized equivalent of such a certificate;

(c) Is accredited by a nationally recognized accrediting agency or association AND, IN THE CASE OF PRIVATE OCCUPATIONAL SCHOOLS, HOLDS A CERTIFICATE OF APPROVAL FROM THE PRIVATE OCCUPATIONAL SCHOOL DIVISION IN ACCORDANCE WITH THE PROVISIONS OF ARTICLE 59 OF TITLE 12, C.R.S., OR IS REGULATED OR APPROVED PURSUANT TO ANY OTHER STATUTE;

(d) (I) Provides an educational program for which it awards a bachelor's degree or a graduate degree; OR

(II) PROVIDES NOT LESS THAN A TWO-YEAR PROGRAM THAT IS ACCEPTABLE FOR FULL CREDIT TOWARDS SUCH A DEGREE; OR

(III) PROVIDES NOT LESS THAN A ONE-YEAR PROGRAM OF TRAINING TO PREPARE STUDENTS FOR GAINFUL EMPLOYMENT IN A RECOGNIZED OCCUPATION; OR

(IV) IS A PRIVATE OCCUPATIONAL SCHOOL PROVIDING NOT LESS THAN A SIX-MONTH PROGRAM OF TRAINING TO PREPARE STUDENTS FOR GAINFUL EMPLOYMENT IN A RECOGNIZED OCCUPATION;

(e) ~~Is not either a proprietary institution or an institution operated for profit; and~~ WAS IN OPERATION IN THIS STATE AS OF JANUARY 1, 1999, OR HAS BEEN IN OPERATION IN THIS STATE FOR A MINIMUM OF TEN ACADEMIC YEARS; AND

(f) Is not a pervasively sectarian or theological institution or any branch program or campus of an institution of higher education whose principal campus and facilities are located outside this state, UNLESS THE INSTITUTION OPERATING THE BRANCH PROGRAM HAS RECEIVED A CERTIFICATE OF APPROVAL FROM THE PRIVATE OCCUPATIONAL SCHOOL DIVISION IN ACCORDANCE WITH THE PROVISIONS OF ARTICLE 59 OF TITLE 12, C.R.S.

SECTION 4. 22-35-103, Colorado Revised Statutes, is amended to read:

22-35-103. Definition. For the purposes of this article:

(1) "Institution of higher education" means the university of southern Colorado,

Adams state college, Mesa state college, Metropolitan state college of Denver, Fort Lewis college, Western state college of Colorado, all independent area vocational schools, all junior college district colleges, the university of northern Colorado, Colorado school of mines, the university of Colorado at Denver, the university of Colorado at Colorado Springs, the university of Colorado at Boulder, Colorado state university, all community colleges governed by the state board for community colleges and occupational education, and all nonpublic institutions of higher education. ~~as defined in section 23-3.7-102 (3), C.R.S.~~

(2) "NONPUBLIC INSTITUTION OF HIGHER EDUCATION" MEANS AN INSTITUTION OF HIGHER EDUCATION OPERATING IN THIS STATE THAT:

(a) RECEIVES NO SUPPORT FROM GENERAL FUND MONEYS IN SUPPORT OF ITS OPERATING COSTS;

(b) ADMITS AS REGULAR STUDENTS ONLY PERSONS HAVING A CERTIFICATION OF GRADUATION FROM A SCHOOL PROVIDING SECONDARY EDUCATION OR THE RECOGNIZED EQUIVALENT OF SUCH A CERTIFICATE;

(c) IS ACCREDITED BY A NATIONALLY RECOGNIZED ACCREDITING AGENCY OR ASSOCIATION;

(d) PROVIDES AN EDUCATIONAL PROGRAM FOR WHICH IT AWARDS A BACHELOR'S DEGREE OR A GRADUATE DEGREE;

(e) IS NOT EITHER A PROPRIETARY INSTITUTION OR AN INSTITUTION OPERATED FOR PROFIT; AND

(f) IS NOT A PERVASIVELY SECTARIAN OR THEOLOGICAL INSTITUTION OR ANY BRANCH PROGRAM OR CAMPUS OF AN INSTITUTION OF HIGHER EDUCATION WHOSE PRINCIPAL CAMPUS AND FACILITIES ARE LOCATED OUTSIDE THIS STATE.

SECTION 5. Effective date. This act shall take effect July 1, 2000.

SECTION 6. 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: March 17, 1999