

CHAPTER 349

EDUCATION - UNIVERSITIES AND COLLEGES

HOUSE BILL 04-1086

BY REPRESENTATIVE(S) Spradley, King, Young, Butcher, Jahn, Paccione, Spence, Vigil, Boyd, Coleman, Marshall, Merrifield, and Miller;
also SENATOR(S) Teck, and Owen.

AN ACT

CONCERNING THE STRUCTURE OF THE STATE SYSTEM OF COMMUNITY COLLEGES.

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

SECTION 1. Part 1 of article 60 of title 23, Colorado Revised Statutes, is amended BY THE ADDITION OF A NEW SECTION to read:

23-60-104.5. Recommendations of governor's task force - legislative declaration. (1) THE GENERAL ASSEMBLY HEREBY FINDS AND DECLARES THAT:

(a) ON DECEMBER 23, 2003, BY EXECUTIVE ORDER, THE GOVERNOR ESTABLISHED THE GOVERNOR'S TASK FORCE TO STRENGTHEN AND IMPROVE THE COMMUNITY COLLEGE SYSTEM;

(b) THE TASK FORCE WAS CHARGED WITH EVALUATING THE CURRENT STRUCTURE OF GOVERNANCE AND ADMINISTRATION IN THE STATE SYSTEM OF COMMUNITY COLLEGES AND RECOMMENDING REFORMS AND COST SAVINGS TO THE GOVERNOR, THE COLORADO COMMISSION ON HIGHER EDUCATION, THE BOARD, AND, IF APPLICABLE, THE GENERAL ASSEMBLY;

(c) THE TASK FORCE MET TEN TIMES AND SPONSORED FIVE PUBLIC FORUMS AT COMMUNITY COLLEGES AROUND THE STATE;

(d) THE TASK FORCE MADE SIX RECOMMENDATIONS TO THE GOVERNOR ALONG WITH A TWO-YEAR TIME LINE FOR COMPLETING EACH RECOMMENDATION AND SENDING PERIODIC REPORTS TO THE GOVERNOR;

(e) THESE RECOMMENDATIONS WERE:

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

(I) DECREASING THE ADMINISTRATIVE COSTS OF THE SYSTEM OFFICE;

(II) MAINTAINING A CENTRAL SYSTEM OFFICE BUT RESTRUCTURING ITS FUNCTIONS;

(III) CENTRALIZING AND STANDARDIZING THE INFORMATION TECHNOLOGY FUNCTIONS OF THE SYSTEM OFFICE;

(IV) DECENTRALIZING INSTITUTIONAL RESEARCH FUNCTIONS OF THE COLLEGES;

(V) RESTRUCTURING OF DISTANCE LEARNING; AND

(VI) COMPLETING A COMPREHENSIVE REVIEW OF THE ADMINISTRATIVE COSTS FOR CAREER AND TECHNICAL EDUCATION.

(f) THE TASK FORCE RECOMMENDED THAT ANY COST SAVINGS ACHIEVED FROM THE RECOMMENDATIONS, PURSUANT TO PARAGRAPH (a) OF SUBSECTION (3) OF THIS SECTION, SHOULD GO TO PROGRAM PROVIDERS FOR ENHANCING SERVICES PURSUANT TO PARAGRAPH (c) OF SUBSECTION (3) OF THIS SECTION;

(g) THE TASK FORCE RECOMMENDED THAT THE BOARD CONDUCT A COMPREHENSIVE EXAMINATION OF THE LOWRY CAMPUS, INCLUDING HOW TO DEVELOP THE LAND TO ITS HIGHEST AND BEST USE AND HOW ANY FUNDS RESULTING FROM THESE CHANGES MAY BE INVESTED IN THE CLASSROOMS OF THE STATE SYSTEM OF COMMUNITY COLLEGES;

(h) THE TASK FORCE ESTABLISHED A TIME LINE FOR THE BOARD TO FOLLOW AND INCLUDED IN THAT TIME LINE PERIODIC REPORTS TO THE GOVERNOR; AND

(i) IT IS IN THE BEST INTERESTS OF THE PUBLIC THAT SOME OF THESE RECOMMENDATIONS BE PUT INTO STATUTE.

(2) AS USED IN THIS SECTION, UNLESS THE CONTEXT OTHERWISE REQUIRES:

(a) "COLLEGES" MEANS THE COMMUNITY COLLEGES UNDER THE CONTROL OF THE BOARD.

(b) "SYSTEM OFFICE" MEANS THE OFFICE UNDER THE BOARD THAT PROVIDES SERVICES TO ALL OF THE COLLEGES.

(c) "TASK FORCE" MEANS THE GOVERNOR'S TASK FORCE ESTABLISHED PURSUANT TO AN EXECUTIVE ORDER DATED DECEMBER 23, 2003.

(3) (a) PURSUANT TO THE RECOMMENDATIONS OF THE TASK FORCE, FOR THE STATE FISCAL YEAR COMMENCING ON JULY 1, 2004, AND ENDING ON JUNE 30, 2005, THE BOARD SHALL REDUCE THE ADMINISTRATIVE COSTS OF THE SYSTEM OFFICE BY AT LEAST THIRTY-FIVE PERCENT.

(b) THE MONEYS AVAILABLE BECAUSE OF THE REDUCTIONS REQUIRED BY PARAGRAPH (a) OF THIS SUBSECTION (3) SHALL BE USED TO FINANCE THE FOLLOWING RECOMMENDATIONS OF THE TASK FORCE:

(I) (A) THE INSTALLATION OF A CENTRALIZED, STANDARDIZED, INTEGRATED, SYSTEM-WIDE INFORMATION TECHNOLOGY SYSTEM SOLUTION FOR THE COLLEGES.

(B) ON OR BEFORE JULY 1, 2004, THE BOARD SHALL BEGIN IMPLEMENTATION OF THE CENTRALIZED, STANDARDIZED, INTEGRATED, SYSTEM-WIDE INFORMATION TECHNOLOGY CONFIGURATION FOR THE COLLEGES. THE IMPLEMENTATION OF THE INFORMATION TECHNOLOGY CONFIGURATION SHALL BE SUBSTANTIALLY COMPLETED ON OR BEFORE JUNE 30, 2006. THE BOARD AND THE COLLEGES SHALL ADOPT BEST PRACTICES FOR ALL BUSINESS PROCESSES.

(II) BY JANUARY 1, 2005, THE RESTRUCTURING OF DISTANCE LEARNING AT ALL COLLEGES BY REQUIRING THE SYSTEM OFFICE TO PROVIDE AND ALL COLLEGES TO USE A COMMON UTILITY INFRASTRUCTURE AND MAINTAIN A COMMON STANDARD FOR SECURITY AND ACCREDITATION;

(III) BY JULY 1, 2004, LIMITING INSTITUTIONAL RESEARCH TO THE COLLEGES THEMSELVES AND DEVELOPING AND MAINTAINING ONE UNIVERSAL DATABASE WITH INDIVIDUAL COLLEGE PARTITIONS FOR VIRTUAL PRIVACY, TO BE USED BY THE SYSTEM OFFICE, WITH ALL DATA GOVERNED BY STANDARDIZED DEFINITIONS, GUIDELINES, AND REPORTING STANDARDS AND PROCEDURES; AND

(IV) BY JULY 1, 2004, CONDUCTING A COMPREHENSIVE REVIEW BY THE BOARD OF THE ADMINISTRATIVE COSTS FOR CAREER AND TECHNICAL EDUCATION.

(c) ANY REMAINING MONEYS AVAILABLE BECAUSE OF THE REDUCTIONS REQUIRED BY PARAGRAPH (a) OF THIS SUBSECTION (3) AFTER THE FINANCING OF THE RECOMMENDATIONS SPECIFIED IN PARAGRAPH (b) OF THIS SUBSECTION (3) SHALL BE USED IN DELIVERING CLASSROOM INSTRUCTION AND IN SUPPORT OF THE COLLEGES.

(4) (a) ON OR BEFORE JUNE 30, 2005, THE STATE BOARD SHALL DEVELOP A MASTER PLAN FOR THE USE, DEVELOPMENT, OR SALE OF THE REAL PROPERTY AT THE LOWRY CAMPUS, EXCEPT FOR THE PROPERTY USED BY THE COMMUNITY COLLEGE OF AURORA OR THE COMMUNITY COLLEGE OF DENVER. NOTHING IN THIS SECTION SHALL PREVENT THE BOARD FROM ALLOWING A CHARTER SCHOOL TO BE LOCATED AT THE LOWRY CAMPUS PRIOR TO THE DEVELOPMENT OF THE MASTER PLAN, AND NOTHING IN THE MASTER PLAN SHALL CAUSE THE DISPLACEMENT OF A CHARTER SCHOOL.

(b) ON OR BEFORE JUNE 30, 2006, THE STATE BOARD MAY ENTER INTO AN AGREEMENT WITH A THIRD-PARTY MASTER DEVELOPER TO CARRY OUT THE USE, DEVELOPMENT, OR SALE OF THE REAL PROPERTY FOR THE LOWRY CAMPUS.

(5) (a) AS USED IN THIS SUBSECTION (5), UNLESS THE CONTEXT OTHERWISE REQUIRES, "NET PROCEEDS FROM THE LOWRY PROPERTY" MEANS THE PROCEEDS FROM THE SALE, GROUND LEASE, OR OTHER DISPOSITION OF THE REAL ESTATE INTERESTS OF THE STATE BOARD AT THE LOWRY CAMPUS, LESS THE ACTUAL AND REASONABLE COSTS OF COMPLETING THE TRANSACTION AND LESS ANY UNSATISFIED DEBT OR OTHER OBLIGATION RELATING TO SUCH REAL ESTATE INTERESTS.

(b) THE NET PROCEEDS FROM THE LOWRY PROPERTY MAY BE MAINTAINED IN AN ACCOUNT FOR USE BY THE STATE BOARD FOR CAPITAL-DEVELOPMENT-RELATED PROJECTS AT THE SYSTEM OFFICE OR THE COLLEGES.

(6) ON OR BEFORE OCTOBER 1, 2004, JULY 1, 2005, AND JULY 1, 2006, THE BOARD SHALL SUBMIT TO THE GOVERNOR AND TO THE EDUCATION COMMITTEES OF THE SENATE AND HOUSE OF REPRESENTATIVES REPORTS ON THE PROGRESS MADE IN IMPLEMENTING THE RECOMMENDATIONS CONTAINED IN THIS SECTION.

SECTION 2. 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: May 28, 2004