

CHAPTER 13

EDUCATION - POSTSECONDARY

SENATE BILL 14-004

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also REPRESENTATIVE(S) Wilson and May, Coram, DelGrosso, Garcia, Hamner, Holbert, Landgraf, Mitsch Bush, Moreno, Murray, Peniston, Pettersen, Rankin, Singer, Szabo, Fields, Foote, Ginal, Kagan, Rosenthal, Ryden, Salazar, Schafer, Sonnenberg.

AN ACT**CONCERNING THE ROLE AND MISSION OF COMMUNITY COLLEGES.**

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

SECTION 1. Legislative declaration. (1) The general assembly hereby finds and declares that:

(a) It is a priority in Colorado to afford the citizens in rural and urban areas of the state greater access to higher education;

(b) Four-year bachelor of applied science degrees are of increasing importance in enabling individuals to qualify for and obtain jobs;

(c) Offering bachelor of applied science degrees in high-demand fields in the regions of the state is important to meeting the local economic development needs and is critical to reducing the educational attainment gap between urban and rural areas;

(d) Offering bachelor of applied science degrees at community colleges will:

(I) Provide an opportunity for underserved and first generation students to continue their educational pathway in a familiar community college setting, thus making it more likely these students will persist and complete their degrees;

(II) Further the goal of closing the educational attainment gap between the majority and minority populations, as more than half of all minority students attend

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

community colleges;

(III) Further the Colorado commission on higher education's master plan goal to increase the attainment of high-quality post-secondary credentials across all academic disciplines and throughout Colorado by at least 1,000 new certificates and degrees each year in order to meet the anticipated workforce demands and to enhance access to, and through, post-secondary education to ensure that the system reflects the changing demographics of the state; and

(IV) Provide affordable access to a four-year degree at a time when the general assembly is concerned about tuition increases and student debt levels.

(2) It is therefore in the best interests of the state of Colorado, with certain limitations, to allow community colleges within the state system to offer four-year bachelor of applied science degrees.

SECTION 2. In Colorado Revised Statutes, **amend** 23-60-201 as follows:

23-60-201. State system of community and technical colleges established - local district colleges - role and mission. There is hereby established a state system of community and technical colleges which shall be under the management and jurisdiction of the state board for community colleges and occupational education. The mission of the community colleges shall be to serve Colorado residents who reside in their service areas by offering a broad range of general, personal, ~~vocational~~ CAREER, and technical education programs. EXCEPT AS PROVIDED IN SECTION 23-60-211, each college shall be a two-year college. Each community college may offer two-year degree programs with or without academic designation, AND, UPON APPROVAL OF THE BOARD PURSUANT TO SECTION 23-60-211, MAY OFFER TECHNICAL, CAREER, AND WORKFORCE DEVELOPMENT BACHELOR OF APPLIED SCIENCE DEGREE PROGRAMS. No college shall impose admission requirements upon any student. The objects of the community and technical colleges shall be to provide educational programs to fill the occupational needs of youth and adults in CAREER AND technical ~~and vocational~~ fields, two-year transfer educational programs to qualify students for admission to the junior year at other colleges and universities, basic skills, workforce development, and a broad range of personal and ~~vocational~~ CAREER education for adults, AND TECHNICAL, CAREER, AND WORKFORCE DEVELOPMENT BACHELOR OF APPLIED SCIENCE DEGREE PROGRAMS ESTABLISHED PURSUANT TO SECTION 23-60-211, THAT ADDRESS THE NEEDS OF THE COMMUNITY WITHIN EACH COMMUNITY COLLEGE SERVICE AREA.

SECTION 3. In Colorado Revised Statutes, 23-60-211, **add** (4) as follows:

23-60-211. Degrees. (4) NOTWITHSTANDING THE PROVISIONS OF SECTION 23-5-129 (6) (b), SUBJECT TO THE APPROVAL OF THE COLORADO COMMISSION ON HIGHER EDUCATION PURSUANT TO SECTION 23-1-133, THE BOARD MAY ESTABLISH AT COMMUNITY COLLEGES WITHIN THE STATE SYSTEM TECHNICAL, CAREER, AND WORKFORCE DEVELOPMENT BACHELOR OF APPLIED SCIENCE DEGREE PROGRAMS. NOTHING IN THIS SECTION SHALL BE CONSTRUED TO ALLOW FOR THE APPROVAL OF BACHELOR OF ARTS OR BACHELOR OF SCIENCE DEGREE PROGRAMS.

SECTION 4. In Colorado Revised Statutes, **add** 23-1-133 as follows:

23-1-133. Commission directive - bachelor of applied science degree programs - community colleges - approval. (1) (a) THE STATE BOARD FOR COMMUNITY COLLEGES AND OCCUPATIONAL EDUCATION, REFERRED TO IN THIS SECTION AS THE "STATE BOARD", SHALL SUBMIT TO THE COMMISSION FOR ITS APPROVAL TECHNICAL, CAREER, AND WORKFORCE DEVELOPMENT BACHELOR OF APPLIED SCIENCE DEGREE PROGRAMS TO BE OFFERED AT ONE OR MORE COMMUNITY COLLEGES WITHIN THE STATE SYSTEM. THE COMMISSION SHALL CONSIDER THE FOLLOWING CRITERIA IN DETERMINING WHETHER TO APPROVE A BACHELOR OF APPLIED SCIENCE DEGREE PROGRAM:

(I) WHETHER THE STATE BOARD PROVIDES DATA DEMONSTRATING WORKFORCE AND STUDENT DEMAND FOR THE DEGREE PROGRAM;

(II) THE REGIONAL AND PROFESSIONAL ACCREDITATION REQUIREMENTS FOR THE DEGREE PROGRAM, IF APPLICABLE, AND WHETHER THE COLLEGE CAN SATISFY THOSE REQUIREMENTS, AS APPROPRIATE, AT BOTH THE INSTITUTIONAL AND PROGRAM LEVELS;

(III) WHETHER THE STATE BOARD CAN DEMONSTRATE THAT PROVIDING THE DEGREE PROGRAM WITHIN THE COMMUNITY COLLEGE SYSTEM IS COST-EFFECTIVE FOR THE STUDENT AND THE COMMUNITY COLLEGE SYSTEM;

(IV) WHETHER THE STATE BOARD CAN DEMONSTRATE THAT THE DEGREE PROGRAM IS SUFFICIENTLY DISTINGUISHABLE FROM:

(A) AN EXISTING DEGREE PROGRAM AT A STATE FOUR-YEAR INSTITUTION OF HIGHER EDUCATION THAT IS PROVIDED TO A STUDENT WHO RESIDES IN THE COMMUNITY COLLEGE'S GEOGRAPHIC SERVICE AREA, AS DEFINED BY THE COMMISSION PURSUANT TO SECTION 23-1-109 (2), WITHOUT THE STUDENT HAVING TO CHANGE HIS OR HER RESIDENCE; OR

(B) A DEGREE PROGRAM THAT HAS BEEN SUCCESSFULLY OFFERED PREVIOUSLY IN CONJUNCTION WITH A STATE FOUR-YEAR INSTITUTION OF HIGHER EDUCATION, WHICH DEGREE PROGRAM WILL BE REINSTATED SOONER THAN THE DEGREE PROGRAM COULD BE OFFERED BY THE COMMUNITY COLLEGE; AND

(V) WHETHER THE BACHELOR OF APPLIED SCIENCE DEGREE PROGRAM COULD BE PROVIDED THROUGH A STATEWIDE TRANSFER AGREEMENT PURSUANT TO SECTION 23-1-108 (7) WITH AN ACCREDITED STATE FOUR-YEAR INSTITUTION IN THE COMMUNITY COLLEGE'S GEOGRAPHIC SERVICE AREA OR WITH AN ACCREDITED STATE FOUR-YEAR INSTITUTION OF HIGHER EDUCATION THAT HAS A STATEWIDE SERVICE AREA, AS DEFINED BY THE COMMISSION PURSUANT TO SECTION 23-1-109 (2), THAT WILL DELIVER AN EXISTING BACHELOR OF APPLIED SCIENCE PROGRAM IN THE COMMUNITY COLLEGE'S GEOGRAPHIC SERVICE AREA SOONER THAN THE DEGREE PROGRAM COULD BE OFFERED BY THE COMMUNITY COLLEGE.

(b) IN ADDITION, IN DETERMINING WHETHER TO APPROVE A BACHELOR OF APPLIED SCIENCE DEGREE PROGRAM, THE COMMISSION:

(I) SHALL CONSIDER WHETHER THE STATE BOARD HAS MET THE CRITERIA SET FORTH IN SUBPARAGRAPHS (I) TO (IV) OF PARAGRAPH (a) OF THIS SUBSECTION (1)

AND WHETHER THE PROPOSED BACHELOR OF APPLIED SCIENCE DEGREE PROGRAM IS IN THE BEST INTERESTS OF THE STATE OF COLORADO;

(II) SHALL CONSULT WITH THE STATE BOARD AND STATE FOUR-YEAR INSTITUTIONS OF HIGHER EDUCATION CONCERNING WHETHER THE COLLABORATION DESCRIBED IN SUBPARAGRAPH (V) OF PARAGRAPH (a) OF THIS SUBSECTION (1) IS FEASIBLE; AND

(III) MAY CONSULT WITH ANY STATE FOUR-YEAR INSTITUTION OF HIGHER EDUCATION THAT SHARES THE SAME GEOGRAPHIC SERVICE AREA, AS DEFINED BY THE COMMISSION PURSUANT TO SECTION 23-1-109 (2), CONCERNING THE PROPOSED DEGREE PROGRAM TO INFORM THE COMMISSION OF ANY ANTICIPATED SYSTEMWIDE EFFECTS OF THE NEW DEGREE PROGRAM.

(2)(a) IN DETERMINING WHETHER TO APPROVE A BACHELOR OF APPLIED SCIENCE DEGREE PROGRAM FOR AIMS COMMUNITY COLLEGE PURSUANT TO SECTION 23-71-102, THE COMMISSION SHALL CONSIDER THE FOLLOWING CRITERIA:

(I) WHETHER AIMS COMMUNITY COLLEGE PROVIDES DATA DEMONSTRATING WORKFORCE AND STUDENT DEMAND FOR THE DEGREE PROGRAM;

(II) THE REGIONAL AND PROFESSIONAL ACCREDITATION REQUIREMENTS FOR THE DEGREE PROGRAM, IF APPLICABLE, AND WHETHER THE COLLEGE CAN SATISFY THOSE REQUIREMENTS, AS APPROPRIATE, AT BOTH THE INSTITUTIONAL AND PROGRAM LEVELS;

(III) WHETHER AIMS COMMUNITY COLLEGE CAN DEMONSTRATE THAT PROVIDING THE DEGREE PROGRAM WITHIN ITS SERVICE AREA IS COST-EFFECTIVE FOR THE STUDENT AND AIMS COMMUNITY COLLEGE;

(IV) WHETHER AIMS COMMUNITY COLLEGE CAN DEMONSTRATE THAT THE DEGREE PROGRAM IS SUFFICIENTLY DISTINGUISHABLE FROM:

(A) AN EXISTING DEGREE PROGRAM AT A STATE FOUR-YEAR INSTITUTION OF HIGHER EDUCATION THAT IS PROVIDED TO A STUDENT WHO RESIDES IN AIMS COMMUNITY COLLEGE'S GEOGRAPHIC SERVICE AREA, AS DEFINED BY THE COMMISSION PURSUANT TO SECTION 23-1-109 (2), WITHOUT THE STUDENT HAVING TO CHANGE HIS OR HER RESIDENCE; OR

(B) A DEGREE PROGRAM THAT HAS BEEN SUCCESSFULLY OFFERED PREVIOUSLY IN CONJUNCTION WITH A STATE FOUR-YEAR INSTITUTION OF HIGHER EDUCATION, WHICH DEGREE PROGRAM WILL BE REINSTATED SOONER THAN THE DEGREE PROGRAM COULD BE OFFERED BY THE COMMUNITY COLLEGE; AND

(V) WHETHER THE BACHELOR OF APPLIED SCIENCE DEGREE PROGRAM COULD BE PROVIDED THROUGH A STATEWIDE TRANSFER AGREEMENT PURSUANT TO SECTION 23-1-108 (7) WITH AN ACCREDITED STATE FOUR-YEAR INSTITUTION IN AIMS COMMUNITY COLLEGE'S GEOGRAPHIC SERVICE AREA OR WITH AN ACCREDITED STATE FOUR-YEAR INSTITUTION OF HIGHER EDUCATION THAT HAS A STATEWIDE SERVICE AREA, AS DEFINED BY THE COMMISSION PURSUANT TO SECTION 23-1-109 (2), THAT WILL DELIVER AN EXISTING BACHELOR OF APPLIED SCIENCE PROGRAM IN AIMS

COMMUNITY COLLEGE'S GEOGRAPHIC SERVICE AREA SOONER THAN THE DEGREE PROGRAM COULD BE OFFERED BY AIMS COMMUNITY COLLEGE.

(b) IN ADDITION, IN DETERMINING WHETHER TO APPROVE A BACHELOR OF APPLIED SCIENCE DEGREE PROGRAM, THE COMMISSION:

(I) SHALL CONSIDER WHETHER AIMS COMMUNITY COLLEGE HAS MET THE CRITERIA SET FORTH IN SUBPARAGRAPHS (I) TO (IV) OF PARAGRAPH (a) OF THIS SUBSECTION (2) AND WHETHER THE PROPOSED BACHELOR OF APPLIED SCIENCE DEGREE PROGRAM IS IN THE BEST INTERESTS OF THE STATE OF COLORADO;

(II) SHALL CONSULT WITH AIMS COMMUNITY COLLEGE AND STATE FOUR-YEAR INSTITUTIONS OF HIGHER EDUCATION CONCERNING WHETHER THE COLLABORATION DESCRIBED IN SUBPARAGRAPH (V) OF PARAGRAPH (a) OF THIS SUBSECTION (2) IS FEASIBLE; AND

(III) MAY CONSULT WITH ANY STATE FOUR-YEAR INSTITUTION OF HIGHER EDUCATION THAT SHARES THE SAME GEOGRAPHIC SERVICE AREA, AS DEFINED BY THE COMMISSION PURSUANT TO SECTION 23-1-109(2), CONCERNING THE PROPOSED DEGREE PROGRAM TO INFORM THE COMMISSION OF ANY ANTICIPATED SYSTEMWIDE EFFECTS OF THE NEW DEGREE PROGRAM.

SECTION 5. In Colorado Revised Statutes, 23-1-108, **amend** (7) (a) and (7) (b) as follows:

23-1-108. Duties and powers of the commission with regard to systemwide planning. (7) (a) The commission shall establish, after consultation with the governing boards of institutions, and enforce statewide degree transfer agreements between two-year and four-year state institutions of higher education and among four-year state institutions of higher education. Governing boards and state institutions of higher education shall implement the statewide degree transfer agreements and the commission policies relating to the statewide degree transfer agreements. The statewide degree transfer agreements shall include provisions under which state institutions of higher education shall accept all credit hours of acceptable course work for automatic transfer from an associate of arts, ASSOCIATE OF APPLIED SCIENCE, or associate of science degree program in another state institution of higher education in Colorado. The commission shall have final authority in resolving transfer disputes.

(b) (I) A student who completes an associate of arts, ASSOCIATE OF APPLIED SCIENCE, or associate of science degree that is the subject of a statewide degree transfer agreement and who transfers from the state institution of higher education that awarded the degree to a four-year state institution of higher education shall, if admitted, be enrolled with junior status. Successful completion of an associate of arts, ASSOCIATE OF APPLIED SCIENCE, or associate of science degree does not guarantee the degree holder admission to a four-year state institution of higher education.

(II) A state institution of higher education that admits as a junior a student who holds an associate of arts degree, ASSOCIATE OF APPLIED SCIENCE DEGREE, or associate of science degree that is the subject of a statewide degree transfer

agreement may not require the student to complete any additional credit hours of lower-division general education courses; except that the institution may require the student to complete additional lower-division general education courses if necessary for preparation in the degree program in which the student enrolls so long as the additional courses are consistent with published degree program requirements for native students and do not extend the time to degree completion beyond that required for native students in the same degree program. ALL CREDIT HOURS OF ACCEPTABLE COURSE WORK COMPLETED BY A STUDENT WHO HOLDS AN ASSOCIATE OF APPLIED SCIENCE DEGREE THAT IS THE SUBJECT OF A STATEWIDE DEGREE TRANSFER AGREEMENT AND WHO TRANSFERS FROM THE STATE INSTITUTION OF HIGHER EDUCATION THAT AWARDED THE ASSOCIATE DEGREE TO A STATE FOUR-YEAR INSTITUTION OF HIGHER EDUCATION SHALL BE APPLICABLE ONLY TO A BACHELOR OF APPLIED SCIENCE DEGREE PROGRAM, EXCEPT FOR COURSES THAT ARE SUBJECT TO TRANSFER PURSUANT TO OTHER TRANSFER AGREEMENTS.

SECTION 6. In Colorado Revised Statutes, 23-1-113.3, **amend** (2) (a) and (3) introductory portion as follows:

23-1-113.3. Commission directive - basic skills courses. (2) (a) Adams state university, Colorado Mesa university, WESTERN STATE COLORADO UNIVERSITY IN CHAFFEE AND GUNNISON COUNTIES, any local community college, and any community college governed by the state board for community colleges and occupational education may offer basic skills courses, as defined in section 23-1-113 (11) (b), and receive stipend payments from the state on behalf of eligible undergraduate students, as defined in section 23-18-102 (5), enrolled in basic skills courses.

(3) The state board for community colleges and occupational education, local community colleges, Adams state university, ~~and~~ Colorado Mesa university, AND WESTERN STATE COLORADO UNIVERSITY shall:

SECTION 7. In Colorado Revised Statutes, **amend** 23-56-101 as follows:

23-56-101. University established - role and mission. There is hereby established a university at Gunnison, which shall be known as Western state Colorado university. Western state Colorado university shall be a general baccalaureate institution with moderately selective admission standards. Western state Colorado university shall offer undergraduate liberal arts and sciences, teacher preparation, and business degree programs, BASIC SKILLS COURSES RECEIVING RESIDENT CREDIT PURSUANT TO SECTION 23-1-113.3, and a limited number of graduate programs. Western state Colorado university shall also serve as a regional education provider.

SECTION 8. In Colorado Revised Statutes, **amend** 23-71-102 as follows:

23-71-102. Definitions. As used in this article, unless the context otherwise requires:

(1) (a) "Junior college" means an educational institution that provides not more than two years of training in the arts, sciences, and humanities beyond the twelfth grade of the public high school curriculum or vocational education and that

conducts occupational, technical, and community service programs, with no term limitations, and general education, including college transfer programs, with unrestricted admissions. ~~except that~~

(b) NOTWITHSTANDING THE PROVISIONS OF PARAGRAPH (a) OF THIS SUBSECTION (1):

(I) Colorado mountain college, in addition to its mission as a junior college, may also offer no more than five baccalaureate degree programs as its board of trustees determines appropriate to address the needs of the communities within its service area and that are approved by the Colorado commission on higher education.

(II) AIMS COMMUNITY COLLEGE, IN ADDITION TO ITS MISSION AS A JUNIOR COLLEGE, MAY ALSO OFFER BACHELOR OF APPLIED SCIENCE DEGREE PROGRAMS AS ITS BOARD OF TRUSTEES DETERMINES APPROPRIATE TO ADDRESS THE NEEDS OF THE COMMUNITIES WITHIN ITS SERVICE AREA THAT ARE APPROVED BY THE COLORADO COMMISSION OF HIGHER PURSUANT TO THE CRITERIA SET FORTH IN SECTION 23-1-133 (2).

SECTION 9. Act subject to petition - effective date. This act takes effect at 12:01 a.m. on the day following the expiration of the ninety-day period after final adjournment of the general assembly (August 6, 2014, if adjournment sine die is on May 7, 2014); except that, if a referendum petition is filed pursuant to section 1 (3) of article V of the state constitution against this act or an item, section, or part of this act within such period, then the act, item, section, or part will not take effect unless approved by the people at the general election to be held in November 2014 and, in such case, will take effect on the date of the official declaration of the vote thereon by the governor.

Approved: February 27, 2014