

CHAPTER 343

EDUCATION - PUBLIC SCHOOLS

HOUSE BILL 14-1085

BY REPRESENTATIVE(S) Fields, Exum, Pettersen, Duran, Fischer, Foote, Ginal, Hamner, Hulinghorst, Kraft-Tharp, Labuda, Lebsack, Melton, Mitsch Bush, Moreno, Rosenthal, Ryden, Salazar, Schafer, Singer, Tyler, Williams, Young;
also SENATOR(S) Zenzinger, Todd, Kefalas, Ulibarri, Aguilar, Heath, Johnston, Jones, Kerr, Newell, Nicholson, Roberts, Schwartz, Steadman, Tochtrop.

AN ACT

CONCERNING ADULT EDUCATION, AND, IN CONNECTION THEREWITH, CREATING THE ADULT EDUCATION AND LITERACY GRANT PROGRAM TO PROVIDE STATE MONEYS FOR ADULT EDUCATION PROGRAMS THAT PARTICIPATE IN WORKFORCE DEVELOPMENT PARTNERSHIPS AND MAKING AND REDUCING APPROPRIATIONS.

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

SECTION 1. In Colorado Revised Statutes, **recreate and reenact, with amendments**, article 10 of title 22 as follows:

ARTICLE 10
Adult Education and Literacy

22-10-101. Short title. THIS ARTICLE SHALL BE KNOWN AND MAY BE CITED AS THE "ADULT EDUCATION AND LITERACY ACT OF 2014".

22-10-102. Legislative declaration. (1) THE GENERAL ASSEMBLY FINDS THAT:

(a) INCREASED EDUCATIONAL ATTAINMENT IS A PROVEN PATHWAY OUT OF POVERTY. IN GENERAL, RESEARCH SHOWS THAT AVERAGE ANNUAL EARNINGS INCREASE AND UNEMPLOYMENT RATES DECREASE WITH EACH SUCCESSIVE LEVEL OF EDUCATION OR TRAINING THAT A PERSON ACHIEVES.

(b) POSTSECONDARY EDUCATION AND CREDENTIAL ATTAINMENT ARE INCREASINGLY CENTRAL TO A PERSON'S ABILITY TO EARN FAMILY-SUSTAINING WAGES, PARTICIPATE MORE FULLY IN COLORADO'S TWENTY-FIRST-CENTURY WORKFORCE, AND CONTRIBUTE TO THE STATE'S ECONOMIC HEALTH AND VITALITY;

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

(c) BOTH NATIONALLY AND IN COLORADO, PROJECTIONS INDICATE THAT BY 2025, TWO-THIRDS OF ALL JOBS WILL REQUIRE SOME LEVEL OF POSTSECONDARY EDUCATION OR TECHNICAL SKILL TRAINING;

(d) COLORADO HAS A SUBSTANTIAL "MIDDLE-SKILL GAP" IN ITS WORKFORCE. MIDDLE-SKILL JOBS REQUIRE SOME POSTSECONDARY EDUCATION OR TRAINING BUT LESS THAN A FOUR-YEAR DEGREE. THESE POSITIONS MAKE UP APPROXIMATELY FORTY-SEVEN PERCENT OF THE STATE'S JOBS, BUT ONLY THIRTY-SIX PERCENT OF COLORADO WORKERS HAVE THE TRAINING NECESSARY TO FILL THEM.

(e) BEFORE COLORADO CAN MEET ITS WORKFORCE, EDUCATIONAL ATTAINMENT, AND POVERTY-REDUCTION GOALS, THE STATE MUST ADDRESS THE NEED FOR ADULT EDUCATION. A SIGNIFICANT PERCENTAGE OF THE STATE'S WORKING-AGE POPULATION LACKS A HIGH SCHOOL DIPLOMA OR ITS EQUIVALENT. MANY OF THESE INDIVIDUALS DO NOT HAVE BASIC LITERACY OR NUMERACY SKILLS AND ARE UNPREPARED FOR PARTICIPATION IN POSTSECONDARY EDUCATION AND FOR PARTICIPATION IN THE TWENTY-FIRST-CENTURY WORKFORCE.

(f) EFFECTIVELY ADDRESSING THE NEED FOR ADULT EDUCATION REQUIRES THE APPROPRIATION OF STATE MONEYS TO FUND ADULT EDUCATION AND LITERACY PROGRAMS THAT PARTICIPATE IN WORKFORCE DEVELOPMENT PARTNERSHIPS. ALTHOUGH THERE ARE SEVERAL POSTSECONDARY PROGRAMS THAT FOCUS ON WORKFORCE DEVELOPMENT AND SKILLS ACQUISITION, THESE PROGRAMS TYPICALLY ASSUME THAT PARTICIPANTS ARE OR HAVE BEEN IN THE WORKFORCE IN SOME CAPACITY AND HAVE ALREADY ATTAINED A BASE LEVEL OF LITERACY AND NUMERACY. ADULT EDUCATION AND LITERACY PROGRAMS, HOWEVER, ARE TYPICALLY DESIGNED FOR ADULTS WHO HAVE BEEN UNABLE TO ENTER THE WORKFORCE IN A MEANINGFUL CAPACITY DUE TO A LACK OF BASIC LITERACY AND NUMERACY SKILLS.

(g) IN RETURN FOR STATE INVESTMENT IN ADULT EDUCATION AND LITERACY PROGRAMS, THESE PROGRAMS MUST REFOCUS THEIR MISSION TO ENSURE THAT MORE LOW-SKILLED, LOW-INCOME ADULTS NOT ONLY ATTAIN THE BASIC LITERACY AND NUMERACY SKILLS THAT THEY LACK, BUT THAT THEY MOVE AS QUICKLY AS POSSIBLE FROM SKILL ACQUISITION TO POSTSECONDARY CREDENTIAL ATTAINMENT TO EMPLOYMENT; AND

(h) SUCCESSFULLY REFOCUSING THE MISSION OF ADULT EDUCATION AND LITERACY PROGRAMS REQUIRES THE ACTIVE COLLABORATION AND COORDINATION OF A VARIETY OF STATE AGENCIES AND ORGANIZATIONS THAT ARE INVOLVED IN ADULT EDUCATION AND LITERACY, POSTSECONDARY EDUCATION, TRAINING AND CREDENTIAL ATTAINMENT, WORKFORCE DEVELOPMENT, ECONOMIC DEVELOPMENT, AND HUMAN SERVICES.

(2) THE GENERAL ASSEMBLY FINDS, THEREFORE, THAT IT IS IN THE BEST INTERESTS OF THE STATE TO ESTABLISH AN ADULT EDUCATION AND LITERACY GRANT PROGRAM TO PROVIDE STATE FUNDING FOR PUBLIC AND PRIVATE NONPROFIT ADULT EDUCATION AND LITERACY PROGRAMS. INVESTING IN THESE PROGRAMS WILL ENABLE THEM TO SERVE A LARGER SHARE OF THE STATE'S ELIGIBLE ADULT POPULATION AND ENSURE THAT MORE ADULTS CAN REACH AND COMPLETE THE NEXT

LEVEL OF EDUCATION AND TRAINING, THEREBY LEADING TO BETTER EMPLOYMENT OUTCOMES THAT ENABLE MORE LOW-INCOME, LOW-LITERACY ADULTS TO ULTIMATELY ACHIEVE ECONOMIC SELF-SUFFICIENCY.

22-10-103. Definitions. AS USED IN THIS ARTICLE, UNLESS THE CONTEXT OTHERWISE REQUIRES:

(1) "ADULT EDUCATION AND LITERACY PROGRAMS" MEANS PROGRAMS THAT PROVIDE ADULT BASIC EDUCATION, ADULT EDUCATION LEADING TO A HIGH SCHOOL EQUIVALENCY CREDENTIAL, ENGLISH AS A SECOND LANGUAGE INSTRUCTION, OR INTEGRATED BASIC EDUCATION AND SKILLS TRAINING.

(2) "DEPARTMENT" MEANS THE DEPARTMENT OF EDUCATION CREATED AND EXISTING PURSUANT TO SECTION 24-1-115, C.R.S.

(3) "ELIGIBLE ADULT" MEANS A PERSON WHO:

(a) IS AT LEAST SEVENTEEN YEARS OF AGE;

(b) IS NOT ENROLLED IN A PUBLIC OR PRIVATE SECONDARY SCHOOL; AND

(c) (I) LACKS A HIGH SCHOOL DIPLOMA OR ITS EQUIVALENT; OR

(II) IS IN NEED OF ENGLISH LANGUAGE INSTRUCTION; OR

(III) LACKS SUFFICIENT MASTERY OF THE BASIC LITERACY AND NUMERACY SKILLS NECESSARY TO ENABLE THE PERSON TO FUNCTION EFFECTIVELY IN THE WORKPLACE.

(4) "ENGLISH LANGUAGE INSTRUCTION" MEANS INSTRUCTION THAT IS DESIGNED TO ASSIST A PERSON WITH LIMITED ENGLISH PROFICIENCY TO ACHIEVE COMPETENCE IN THE ENGLISH LANGUAGE, THUS ALLOWING THE PERSON TO UNDERSTAND AND NAVIGATE GOVERNMENTAL, EDUCATIONAL, AND WORKPLACE SYSTEMS.

(5) "GRANT PROGRAM" MEANS THE ADULT EDUCATION AND LITERACY GRANT PROGRAM CREATED IN SECTION 22-10-104.

(6) "LITERACY" MEANS A PERSON'S ABILITY TO READ, WRITE, AND SPEAK ENGLISH AT LEVELS OF PROFICIENCY THAT ARE NECESSARY TO FUNCTION ON THE JOB AND IN SOCIETY, ACHIEVE THE PERSON'S GOALS, AND DEVELOP THE PERSON'S KNOWLEDGE AND POTENTIAL.

(7) "LOCAL EDUCATION PROVIDER" MEANS ONE OF THE FOLLOWING ENTITIES THAT THE DEPARTMENT RECOGNIZES AS PROVIDING APPROPRIATE AND EFFECTIVE ADULT EDUCATION AND LITERACY PROGRAMS:

(a) A SECONDARY OR POSTSECONDARY, PUBLIC OR PRIVATE, NONPROFIT EDUCATIONAL ENTITY, INCLUDING BUT NOT LIMITED TO A SCHOOL DISTRICT, CHARTER SCHOOL, BOARD OF COOPERATIVE SERVICES, STATE INSTITUTION OF HIGHER EDUCATION, JUNIOR COLLEGE, AND AREA VOCATIONAL SCHOOL;

(b) A COMMUNITY-BASED, NONPROFIT AGENCY OR ORGANIZATION;

(c) A LIBRARY;

(d) A LITERACY COUNCIL OR OTHER LITERACY INSTITUTE;

(e) A BUSINESS OR BUSINESS ASSOCIATION THAT PROVIDES ADULT EDUCATION AND LITERACY PROGRAMS EITHER ON-SITE OR OFF-SITE;

(f) A VOLUNTEER LITERACY ORGANIZATION;

(g) A WORK FORCE BOARD, AS DEFINED IN SECTION 8-83-203, C.R.S., THAT OVERSEES A WORK FORCE INVESTMENT PROGRAM DESCRIBED IN THE "COLORADO WORK FORCE INVESTMENT ACT", PART 2 OF ARTICLE 83 OF TITLE 8, C.R.S.;

(h) A ONE-STOP PARTNER, AS DESCRIBED IN SECTION 8-83-216, C.R.S., UNDER THE "COLORADO WORK FORCE INVESTMENT ACT", PART 2 OF ARTICLE 83 OF TITLE 8, C.R.S.; OR

(i) A CONSORTIA OF ENTITIES DESCRIBED IN THIS SUBSECTION (7).

(8) "NUMERACY" MEANS A PERSON'S ABILITY TO COMPUTE AND SOLVE MATHEMATICAL PROBLEMS AT LEVELS OF PROFICIENCY THAT ARE NECESSARY TO FUNCTION ON THE JOB AND IN SOCIETY, ACHIEVE THE PERSON'S GOALS, AND DEVELOP THE PERSON'S KNOWLEDGE AND POTENTIAL.

(9) "OFFICE" MEANS THE OFFICE WITHIN THE DEPARTMENT THAT IS RESPONSIBLE FOR ADULT EDUCATION.

(10) "STATE BOARD" MEANS THE STATE BOARD OF EDUCATION CREATED IN SECTION 1 OF ARTICLE IX OF THE STATE CONSTITUTION.

(11)(a) "WORKFORCE DEVELOPMENT PARTNERSHIP" MEANS A COLLABORATION THAT ASSISTS ADULTS IN ATTAINING BASIC LITERACY AND NUMERACY SKILLS LEADING TO ADDITIONAL SKILL ACQUISITION, POSTSECONDARY CREDENTIALS, AND EMPLOYMENT. AT A MINIMUM, A WORKFORCE DEVELOPMENT PARTNERSHIP MUST INCLUDE AT LEAST ONE LOCAL EDUCATION PROVIDER, AT LEAST ONE POSTSECONDARY EDUCATION OR TRAINING PROVIDER, AND AT LEAST ONE WORKFORCE DEVELOPMENT PROVIDER.

(b) FOR PURPOSES OF THIS SUBSECTION (11), A POSTSECONDARY EDUCATION OR TRAINING PROVIDER INCLUDES, BUT NEED NOT BE LIMITED TO:

(I) A STATE INSTITUTION OF HIGHER EDUCATION, JUNIOR COLLEGE, OR AREA VOCATIONAL SCHOOL;

(II) AN APPRENTICESHIP PROGRAM;

(III) AN ENTITY THAT PROVIDES ACCELERATED EDUCATION AND SKILLS TRAINING CERTIFICATE PROGRAMS CREATED PURSUANT TO PART 9 OF ARTICLE 60 OF TITLE 23, C.R.S.;

(IV) AN ENTITY THAT OPERATES PROGRAMS THROUGH THE MANUFACTURING

CAREER PATHWAY ESTABLISHED BY THE STATE BOARD FOR COMMUNITY COLLEGES AND OCCUPATIONAL EDUCATION AS PROVIDED IN PART 10 OF ARTICLE 60 OF TITLE 23, C.R.S.; AND

(V) A COMMUNITY-BASED WORKFORCE DEVELOPMENT PROGRAM THAT IS OPERATED THROUGH THE COLORADO CUSTOMIZED TRAINING PROGRAM CREATED IN SECTION 23-60-306, C.R.S.

(c) FOR PURPOSES OF THIS SUBSECTION (11), A WORKFORCE DEVELOPMENT PROVIDER INCLUDES, BUT NEED NOT BE LIMITED TO:

(I) A WORK FORCE INVESTMENT PROGRAM DESCRIBED IN THE "COLORADO WORK FORCE INVESTMENT ACT", PART 2 OF ARTICLE 83 OF TITLE 8, C.R.S.; AND

(II) A PROGRAM THAT IS SUPPORTED BY THE STATE WORK FORCE DEVELOPMENT COUNCIL CREATED IN ARTICLE 46.3 OF TITLE 24, C.R.S.

22-10-104. Adult education and literacy grant program - created - rules.

(1) (a) THERE IS CREATED IN THE OFFICE THE ADULT EDUCATION AND LITERACY GRANT PROGRAM TO PROVIDE FUNDING FOR LOCAL EDUCATION PROVIDERS THAT ARE MEMBERS OF WORKFORCE DEVELOPMENT PARTNERSHIPS THROUGH WHICH ELIGIBLE ADULTS RECEIVE BASIC EDUCATION IN LITERACY AND NUMERACY THAT LEADS TO ADDITIONAL SKILLS ACQUISITION, POSTSECONDARY CREDENTIAL ATTAINMENT, AND EMPLOYMENT.

(b) A LOCAL EDUCATION PROVIDER MAY APPLY TO THE OFFICE TO RECEIVE A GRANT PURSUANT TO THIS ARTICLE IN ACCORDANCE WITH THE RULES, PROCEDURES, FORMS, AND TIMELINES ADOPTED BY THE STATE BOARD. THE OFFICE SHALL REVIEW EACH APPLICATION AND RECOMMEND APPROPRIATE GRANT RECIPIENTS TO THE STATE BOARD.

(c) SUBJECT TO AVAILABLE APPROPRIATIONS, THE STATE BOARD, TAKING INTO CONSIDERATION THE RECOMMENDATIONS OF THE OFFICE, SHALL AWARD ADULT EDUCATION AND LITERACY GRANTS TO LOCAL EDUCATION PROVIDERS. THE GRANTS AWARDED ARE PAYABLE FROM THE ADULT EDUCATION AND LITERACY GRANT FUND CREATED IN SECTION 22-10-107. THE STATE BOARD SHALL ESTABLISH THE AMOUNT AND DURATION OF EACH GRANT AWARDED AND MAY AWARD A GRANT FOR MULTIPLE FISCAL YEARS, SUBJECT TO ANNUAL RENEWAL. A GRANT RECIPIENT THAT RECEIVES A MULTI-YEAR GRANT MUST ANNUALLY SUBMIT TO THE OFFICE THE NECESSARY INFORMATION TO DETERMINE WHETHER THE GRANT RECIPIENT IS MAKING SUFFICIENT PROGRESS TOWARD ACHIEVING THE GOALS OF THE ADULT EDUCATION AND LITERACY PROGRAM THAT WERE SPECIFIED IN THE GRANT APPLICATION. IF THE OFFICE FINDS THAT A GRANT RECIPIENT IS NOT MAKING SUFFICIENT PROGRESS TOWARD ACHIEVING THE GOALS, THE STATE BOARD SHALL NOT RENEW THE GRANT FOR SUBSEQUENT FISCAL YEARS.

(d) A LOCAL EDUCATION PROVIDER MAY USE GRANT MONEYS RECEIVED PURSUANT TO THIS ARTICLE IN COMBINATION WITH ANY MONEYS RECEIVED FROM OTHER PUBLIC OR PRIVATE SOURCES. A LOCAL EDUCATION PROVIDER MAY USE GRANT MONEYS RECEIVED PURSUANT TO THIS ARTICLE ON BEHALF OF A STUDENT WHO IS ENROLLED IN OR HAS COMPLETED THE ADULT EDUCATION AND LITERACY

PROGRAM AND IS RECEIVING TRAINING FROM A POSTSECONDARY EDUCATION OR TRAINING PROVIDER OR FROM A WORKFORCE DEVELOPMENT PROVIDER THAT PARTICIPATES IN THE WORKFORCE DEVELOPMENT PARTNERSHIP WITH THE LOCAL EDUCATION PROVIDER.

(2) THE STATE BOARD, IN ACCORDANCE WITH THE "STATE ADMINISTRATIVE PROCEDURE ACT", ARTICLE 4 OF TITLE 24, C.R.S., SHALL PROMULGATE RULES TO IMPLEMENT THE GRANT PROGRAM, WHICH RULES MUST INCLUDE:

(a) THE TIME FRAMES FOR SUBMITTING APPLICATIONS, REVIEWING APPLICATIONS, AND AWARDING GRANTS;

(b) THE GRANT APPLICATION REQUIREMENTS. AT A MINIMUM:

(I) EACH APPLICANT MUST DEMONSTRATE THAT IT IS AN ACTIVE MEMBER OF A WORKFORCE DEVELOPMENT PARTNERSHIP THROUGH WHICH STUDENTS RECEIVE BASIC EDUCATION IN LITERACY AND NUMERACY THAT LEADS TO ADDITIONAL SKILLS ACQUISITION, POSTSECONDARY CREDENTIAL ATTAINMENT, AND EMPLOYMENT; AND

(II) EACH APPLICATION MUST SPECIFY THE MEASURABLE GOALS OF THE ADULT EDUCATION AND LITERACY PROGRAM THAT THE APPLYING LOCAL EDUCATION PROVIDER EXPECTS TO ACHIEVE USING THE GRANT MONEYS;

(c) ANY FACTORS IN ADDITION TO THOSE LISTED IN SUBSECTION (3) OF THIS SECTION THAT THE OFFICE MAY CONSIDER IN RECOMMENDING GRANT RECIPIENTS TO THE STATE BOARD AND THAT THE STATE BOARD MAY CONSIDER IN AWARDING GRANTS;

(d) THE BASIS FOR ESTABLISHING THE AMOUNT AND DURATION OF EACH GRANT;

(e) THE INFORMATION THAT EACH GRANT RECIPIENT MUST SUBMIT TO THE OFFICE TO EVALUATE THE RECIPIENT'S USE OF THE GRANT AND TO PREPARE THE REPORT REQUIRED IN SECTION 22-10-105; AND

(f) ANY ADDITIONAL RULES THAT THE STATE BOARD FINDS ARE NECESSARY TO IMPLEMENT THE GRANT PROGRAM.

(3) THE OFFICE, IN EVALUATING GRANT APPLICATIONS, AND THE STATE BOARD, IN AWARDING GRANTS, MAY CONSIDER, AT A MINIMUM, THE FOLLOWING FACTORS:

(a) THE PERCENTAGE OF ELIGIBLE ADULTS EXPECTED TO BE ENROLLED IN THE ADULT EDUCATION AND LITERACY PROGRAMS FUNDED BY THE GRANT WHO ARE MEMBERS OF MINORITY GROUPS;

(b) THE PERCENTAGE OF ELIGIBLE ADULTS IN THE AREA TO BE SERVED USING GRANT MONEYS WHO DO NOT HAVE HIGH SCHOOL DIPLOMAS OR THE EQUIVALENT AND WHO ARE NOT CURRENTLY ENROLLED IN ADULT EDUCATION AND LITERACY PROGRAMS;

(c) (I) THE PERCENTAGE OF ELIGIBLE ADULTS EXPECTED TO BE ENROLLED IN THE ADULT EDUCATION AND LITERACY PROGRAMS FUNDED BY THE GRANT WHO ARE

RECEIVING EITHER STATE OR FEDERAL PUBLIC ASSISTANCE; OR

(II) THE PERCENTAGE OF ELIGIBLE ADULTS IN THE AREA TO BE SERVED WHO ARE UNEMPLOYED WORKERS; AND

(d) THE DEMONSTRATED SUCCESS OF THE LOCAL EDUCATION PROVIDER IN ENABLING ADULTS TO ATTAIN BASIC LITERACY AND NUMERACY SKILLS AND IN ASSISTING THEM, THROUGH COLLABORATION WITH POSTSECONDARY EDUCATION OR TRAINING PROVIDERS AND WORKFORCE DEVELOPMENT PROVIDERS, TO ACHIEVE ADDITIONAL SKILLS ATTAINMENT, POSTSECONDARY CREDENTIAL ATTAINMENT, AND EMPLOYMENT.

22-10-105. Evaluation of grants - report. (1)(a) THE OFFICE SHALL ANNUALLY REVIEW THE INFORMATION RECEIVED FROM ADULT EDUCATION AND LITERACY GRANT RECIPIENTS TO EVALUATE THE EFFECTIVENESS OF THE PROGRAMS THAT RECEIVE GRANTS IN MEETING THE GOALS SET FOR THE PROGRAMS IN THE GRANT APPLICATIONS. THE OFFICE SHALL REPORT ITS CONCLUSIONS TO THE STATE BOARD FOR PURPOSES OF EVALUATING ONGOING GRANTS.

(b) THE DEPARTMENT MAY AUDIT THE RECORDS AND ACCOUNTS OF GRANT RECIPIENTS RELATING TO GRANTS AWARDED PURSUANT TO THIS ARTICLE. A LOCAL EDUCATION PROVIDER SHALL MAKE THE RECORDS AND ACCOUNTS AVAILABLE TO THE DEPARTMENT UPON REQUEST.

(c) UPON COMPLETING AN ADULT EDUCATION AND LITERACY PROGRAM FUNDED, IN WHOLE OR IN PART, BY A GRANT AWARDED PURSUANT TO THIS ARTICLE, A LOCAL EDUCATION PROVIDER SHALL REPORT TO THE DEPARTMENT THE SAME INFORMATION CONCERNING THE STATE-FUNDED PROGRAM AS IS REQUIRED BY TITLE II OF THE FEDERAL "WORKFORCE INVESTMENT ACT OF 1998", AS AMENDED, 20 U.S.C. SEC. 9201 ET SEQ., FOR FEDERALLY FUNDED PROGRAMS. THE DEPARTMENT MAY REQUEST SUCH ADDITIONAL INFORMATION AS MAY BE REQUIRED BY RULE OF THE STATE BOARD.

(2)(a) THE OFFICE SHALL PREPARE AN ANNUAL REPORT CONCERNING THE GRANT PROGRAM THAT, AT A MINIMUM, ADDRESSES THE USE, ALLOCATION, AND OUTCOMES OF THE GRANT MONEYS, INCLUDING THE EFFECTIVENESS OF EACH PROGRAM THAT RECEIVES A GRANT AND THE CONTINUING LEVEL OF UNMET NEED FOR ADULT EDUCATION WITHIN THE STATE. IN EVALUATING PROGRAM OUTCOMES, THE OFFICE MAY CONSIDER, BUT NEED NOT BE LIMITED TO CONSIDERING, STUDENT PARTICIPATION, COMPLETION, EDUCATIONAL ATTAINMENT, EMPLOYMENT, AND POVERTY-REDUCTION DATA AND ANALYSIS. THE REPORT MUST ALSO INCLUDE AN OVERVIEW OF THE COLLABORATION EFFORTS OF THE OFFICE, THE DEPARTMENT OF HIGHER EDUCATION, THE DEPARTMENT OF LABOR AND EMPLOYMENT, THE COMMUNITY COLLEGE SYSTEM, OTHER LOCAL EDUCATION PROVIDERS, OTHER POSTSECONDARY EDUCATION OR TRAINING PROVIDERS, AND OTHER WORKFORCE DEVELOPMENT PROVIDERS IN MEETING THE STATE'S NEED FOR ADULT EDUCATION AND LITERACY PROGRAMS AND WORKFORCE DEVELOPMENT.

(b) THE OFFICE SHALL SUBMIT THE REPORT TO THE GOVERNOR'S OFFICE; THE STATE BOARD; THE JOINT BUDGET COMMITTEE OF THE GENERAL ASSEMBLY; THE EDUCATION COMMITTEES OF THE SENATE AND THE HOUSE OF REPRESENTATIVES, OR

ANY SUCCESSOR COMMITTEES; THE BUSINESS, LABOR, AND TECHNOLOGY COMMITTEE OF THE SENATE, OR ANY SUCCESSOR COMMITTEE; AND THE BUSINESS, LABOR, ECONOMIC, AND WORKFORCE DEVELOPMENT COMMITTEE OF THE HOUSE OF REPRESENTATIVES, OR ANY SUCCESSOR COMMITTEE. THE OFFICE SHALL ALSO POST THE REPORT ON THE DEPARTMENT'S WEB SITE FOR PUBLIC VIEWING.

22-10-106. Adult education and literacy - workforce development - meetings.

(1) THE OFFICE SHALL CONVENE PERIODIC MEETINGS OF REPRESENTATIVES OF, AT A MINIMUM, THE DEPARTMENT OF HIGHER EDUCATION, THE DEPARTMENT OF LABOR AND EMPLOYMENT, THE COMMUNITY COLLEGE SYSTEM, OTHER LOCAL EDUCATION PROVIDERS, OTHER POSTSECONDARY EDUCATION OR TRAINING PROVIDERS, AND OTHER WORKFORCE DEVELOPMENT PROVIDERS TO DISCUSS, AT A MINIMUM:

(a) WAYS TO INCREASE THE COMMUNICATION AND COLLABORATION AMONG ADULT EDUCATION AND LITERACY PROGRAMS, POSTSECONDARY EDUCATION OR TRAINING PROGRAMS, AND WORKFORCE DEVELOPMENT PROGRAMS WITHIN THE STATE; AND

(b) THE STATE'S WORKFORCE DEVELOPMENT NEEDS AND THE LEVELS OF UNMET NEED FOR ADULT EDUCATION WITHIN THE STATE, INCLUDING IDENTIFYING PARTICULAR AREAS OF THE STATE WITH SIGNIFICANT UNMET ADULT EDUCATION NEEDS.

22-10-107. Adult education and literacy grant fund - created. (1) (a) THERE IS HEREBY CREATED IN THE STATE TREASURY THE ADULT EDUCATION AND LITERACY GRANT FUND, REFERRED TO IN THIS SECTION AS THE "FUND", CONSISTING OF:

(I) ANY MONEYS RECEIVED BY THE DEPARTMENT PURSUANT TO SUBSECTION (2) OF THIS SECTION;

(II) ANY MONEYS TRANSFERRED TO THE FUND PURSUANT TO SECTION 22-2-124 (10), AS IT EXISTED BEFORE JULY 1, 2014; AND

(III) ANY MONEYS THAT THE GENERAL ASSEMBLY MAY APPROPRIATE TO THE FUND.

(b) THE MONEYS IN THE FUND ARE SUBJECT TO ANNUAL APPROPRIATION BY THE GENERAL ASSEMBLY TO THE DEPARTMENT FOR THE DIRECT AND INDIRECT COSTS ASSOCIATED WITH IMPLEMENTING THIS ARTICLE.

(c) NOTWITHSTANDING ANY PROVISION OF THIS ARTICLE TO THE CONTRARY, THE DEPARTMENT, THE OFFICE, AND THE STATE BOARD ARE NOT REQUIRED TO IMPLEMENT THE PROVISIONS OF THIS ARTICLE UNLESS THE GENERAL ASSEMBLY APPROPRIATES SUFFICIENT STATE MONEYS TO THE FUND TO OFFSET THE COSTS OF IMPLEMENTING THE ARTICLE.

(d) THE STATE TREASURER MAY INVEST, AS PROVIDED BY LAW, ANY MONEYS IN THE FUND NOT EXPENDED FOR THE PURPOSE OF THIS ARTICLE. THE STATE TREASURER SHALL CREDIT ALL INTEREST AND INCOME DERIVED FROM THE INVESTMENT AND DEPOSIT OF MONEYS IN THE FUND TO THE FUND. ANY UNEXPENDED AND UNENCUMBERED MONEYS REMAINING IN THE FUND AT THE END OF A FISCAL

YEAR MUST REMAIN IN THE FUND AND SHALL NOT BE CREDITED OR TRANSFERRED TO THE GENERAL FUND OR ANOTHER FUND.

(2) THE DEPARTMENT MAY RECEIVE AND EXPEND GIFTS, DONATIONS, OR GRANTS OF ANY KIND FROM ANY PUBLIC OR PRIVATE ENTITY TO CARRY OUT THE PURPOSES OF THIS ARTICLE, SUBJECT TO THE TERMS AND CONDITIONS UNDER WHICH GIVEN; EXCEPT THAT THE DEPARTMENT SHALL NOT ACCEPT A GIFT, DONATION, OR GRANT IF THE CONDITIONS ATTACHED TO THE GIFT, DONATION, OR GRANT REQUIRE THE USE OR EXPENDITURE OF THE GIFT, DONATION, OR GRANT IN A MANNER CONTRARY TO LAW. THE DEPARTMENT SHALL TRANSMIT TO THE STATE TREASURER ANY GIFTS, DONATIONS, OR GRANTS RECEIVED PURSUANT TO THIS SUBSECTION (2), AND THE STATE TREASURER SHALL CREDIT THESE AMOUNTS TO THE FUND. IMPLEMENTATION OF THE GRANT PROGRAM IS NOT CONDITIONED ON THE RECEIPT OF GIFTS, DONATIONS, OR GRANTS PURSUANT TO THIS SUBSECTION (2).

SECTION 2. In Colorado Revised Statutes, 22-2-124, **add** (10) as follows:

22-2-124. Family literacy education grant program - rules - repeal. (10) THIS SECTION IS REPEALED, EFFECTIVE JULY 1, 2014. NOTWITHSTANDING THE PROVISIONS OF PARAGRAPH (b) OF SUBSECTION (8) OF THIS SECTION, ANY MONEYS REMAINING IN THE FAMILY LITERACY EDUCATION FUND AS OF JULY 1, 2014, ARE TRANSFERRED ON THAT DATE TO THE ADULT EDUCATION AND LITERACY GRANT FUND CREATED IN SECTION 22-10-107.

SECTION 3. Appropriation - adjustments to 2014 long bill. (1) For the implementation of this act, the general fund appropriation made in the annual general appropriation act to the controlled maintenance trust fund created in section 24-75-302.5 (2) (a), Colorado Revised Statutes, for the fiscal year beginning July 1, 2014, is decreased by \$960,000.

(2) In addition to any other appropriation, there is hereby appropriated, out of any moneys in the general fund not otherwise appropriated, to the adult education and literacy grant fund created in section 22-10-107, Colorado Revised Statutes, for the fiscal year beginning July 1, 2014, the sum of \$960,000, or so much thereof as may be necessary for the implementation of this act.

(3) In addition to any other appropriation, there is hereby appropriated, out of any moneys in the adult education and literacy grant fund created in section 22-10-107, Colorado Revised Statutes, not otherwise appropriated, to the department of education, for the fiscal year beginning July 1, 2014, the sum of \$960,000 and 1.0 FTE, or so much thereof as may be necessary, for allocation to the office within the department of education that is responsible for adult education for the implementation of this act.

SECTION 4. 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, 2014