

CHAPTER 196

EDUCATION - POSTSECONDARY

HOUSE BILL 15-1274

BY REPRESENTATIVE(S) Garnett and Melton, Arndt, Danielson, Duran, Esgar, Fields, Ginal, Lee, McCann, Mitsch Bush, Rosenthal, Tyler, Young, Hamner, Lebsock, Pettersen, Roupe, Ryden, Salazar, Winter, Hullinghorst, Court, Kagan, Kraft-Tharp, Lontine, Moreno, Pabon, Singer, Williams;
also SENATOR(S) Kerr and Woods, Todd, Aguilar, Crowder, Donovan, Garcia, Heath, Hill, Hodge, Jahn, Johnston, Kefalas, Martinez Humenik, Merrifield, Newell.

AN ACT

CONCERNING THE CREATION OF CAREER PATHWAYS FOR STUDENTS FOR CRITICAL OCCUPATIONS IN GROWING INDUSTRIES, AND, IN CONNECTION THEREWITH, MAKING AN APPROPRIATION.

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

SECTION 1. In Colorado Revised Statutes, **add** 24-46.3-104 as follows:

24-46.3-104. Career pathways - design - definitions - legislative declaration.

(1) THE GENERAL ASSEMBLY HEREBY FINDS THAT CREATING INDUSTRY-DRIVEN CAREER PATHWAYS FOR EDUCATION ASSISTS STUDENTS IN ENTERING THE WORK FORCE AND PROVIDES INDUSTRIES WITH THE TALENT PIPELINE NECESSARY TO FUEL COLORADO'S ECONOMY. RECOGNIZING THE NEED FOR THE COORDINATED DEVELOPMENT OF CAREER PATHWAYS FOR STUDENTS, THE GENERAL ASSEMBLY ENACTED SECTION 24-46.3-103 IN 2014, TASKING THE STATE COUNCIL TO WORK COLLABORATIVELY WITH THE DEPARTMENT OF HIGHER EDUCATION, THE DEPARTMENT OF EDUCATION, THE DEPARTMENT OF LABOR AND EMPLOYMENT, AND THE COLORADO OFFICE OF ECONOMIC DEVELOPMENT TO CREATE THE TALENT PIPELINE DEVELOPMENT INFRASTRUCTURE FOR USE IN CREATING CAREER PATHWAYS FOR STUDENTS. CREATING CAREER PATHWAYS FOR GROWING COLORADO INDUSTRIES WITH OCCUPATIONS IN HIGH DEMAND WILL:

(a) INCREASE THE NUMBER OF COLORADO CITIZENS ACCESSING POSTSECONDARY EDUCATION AND APPRENTICESHIPS;

(b) INCREASE THE NUMBER OF COLORADO CITIZENS COMPLETING DEGREES, APPRENTICESHIPS, AND OTHER CREDENTIALS;

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) DECREASE THE NEED FOR REMEDIATION AT THE POSTSECONDARY LEVEL;

(d) INCREASE ENTRY INTO EMPLOYMENT AND INCREASE WAGES OVER TIME;

(e) CREATE BETTER TRANSITIONS FOR STUDENTS IN THE CAREER PATHWAYS FROM HIGH SCHOOL, COMMUNITY COLLEGES, OR ADULT EDUCATION PROGRAMS TO APPRENTICESHIPS, HIGHER EDUCATION, OR INTO THE WORK FORCE;

(f) CREATE BETTER CONNECTIONS BETWEEN POSTSECONDARY AND WORK FORCE READINESS INITIATIVES IN HIGH SCHOOL AND ADULT WORK FORCE PROGRAMS; AND

(g) THROUGH PARTNERSHIPS WITH INDUSTRY, ASSIST STUDENTS IN OBTAINING WORK EXPERIENCE AND EMPLOYMENT DURING AND AFTER PARTICIPATION IN EDUCATIONAL PROGRAMS.

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

(a) "APPRENTICESHIP" MEANS A REGISTERED APPRENTICESHIP PROGRAM WITH A WRITTEN PLAN THAT IS DESIGNED TO MOVE AN APPRENTICE FROM A LOW- OR NO-SKILL ENTRY-LEVEL POSITION TO FULL OCCUPATIONAL PROFICIENCY. THE PROGRAM MUST COMPLY WITH THE PARAMETERS ESTABLISHED UNDER THE "NATIONAL APPRENTICESHIP ACT", 29 U.S.C. 50, AS AMENDED, AND ITS PROMULGATING REGULATIONS, AND ADMINISTERED BY THE UNITED STATE'S DEPARTMENT OF LABOR'S OFFICE OF APPRENTICESHIP. AN INDIVIDUAL BUSINESS, AN EMPLOYER ASSOCIATION, OR A LABOR ORGANIZATION SPONSORS A REGISTERED APPRENTICESHIP. UPON FINISHING A TRAINING PROGRAM, THE APPRENTICE EARNS A "COMPLETION OF REGISTERED APPRENTICESHIP" CERTIFICATE, WHICH IS AN INDUSTRY-ISSUED AND NATIONALLY RECOGNIZED CREDENTIAL THAT VALIDATES PROFICIENCY IN AN APPRENTICEABLE OCCUPATION.

(b) "CAREER PATHWAY" MEANS A SERIES OF CONNECTED EDUCATION AND TRAINING STRATEGIES AND SUPPORT SERVICES THAT ENABLE INDIVIDUALS TO SECURE INDUSTRY-RELEVANT SKILLS AND CERTIFICATION WHERE APPLICABLE, TO OBTAIN EMPLOYMENT WITHIN AN OCCUPATIONAL AREA, AND TO ADVANCE TO HIGHER LEVELS OF FUTURE EDUCATION AND EMPLOYMENT.

(c) "CRITICAL OCCUPATIONS" MEANS TOP JOBS OR EMPLOYMENT IN JOBS THAT LEAD TO TOP JOBS.

(d) "GROWING INDUSTRIES" MEANS INDUSTRIES THAT ARE PROJECTED TO CREATE NEW JOBS ANNUALLY FOR AT LEAST THE NEXT TEN YEARS.

(e) "PARTNERS" MEANS, AT A MINIMUM, STATE AGENCIES AND ORGANIZATIONS DESCRIBED IN SECTION 24-46.3-103, THE STATE BOARD FOR COMMUNITY COLLEGES AND OCCUPATIONAL EDUCATION CREATED IN SECTION 23-60-104, C.R.S., AND INTERESTED POSTSECONDARY EDUCATION PROVIDERS.

(f) "STATE COUNCIL" MEANS THE COLORADO WORK FORCE DEVELOPMENT COUNCIL CREATED IN SECTION 24-46.3-101.

(g) "TOP JOBS" MEANS JOBS THAT HAVE STRONG PROJECTED AVERAGE OPENINGS PER YEAR FOR TEN YEARS AND PAY A LIVING WAGE AS DEFINED IN THE COLORADO TALENT PIPELINE REPORT PREPARED PURSUANT TO SECTION 24-46.3-103.

(3) (a) THE STATE COUNCIL, IN COLLABORATION WITH ITS PARTNERS AND AFTER CONSULTING WITH LOCAL WORK FORCE BOARDS, AND A TASK FORCE WITHIN THE DEPARTMENT OF EDUCATION CONSISTING OF LEADERSHIP FROM THE DEPARTMENT OF EDUCATION AND SUPERINTENDENTS OF LOCAL SCHOOL DISTRICTS, SHALL DESIGN INTEGRATED CAREER PATHWAYS FOR STUDENTS WITHIN INDUSTRY SECTORS IDENTIFIED IN THE ANNUAL COLORADO TALENT REPORT PREPARED PURSUANT TO SECTION 24-46.3-103 THAT ARE GROWING INDUSTRIES AND THAT HAVE CRITICAL OCCUPATIONS THAT ARE WITHOUT CLEARLY ARTICULATED CAREER PATHWAYS.

(b) (I) IN COLLABORATION WITH ITS PARTNERS PURSUANT TO PARAGRAPH (a) OF THIS SUBSECTION (3), THE STATE COUNCIL SHALL:

(A) DESIGN AT LEAST ONE CAREER PATHWAY THAT IS READY FOR IMPLEMENTATION BY OR BEFORE THE 2016-17 ACADEMIC YEAR FOR CRITICAL OCCUPATIONS IN A GROWING INDUSTRY; AND

(B) DESIGN AT LEAST TWO CAREER PATHWAYS THAT ARE READY FOR IMPLEMENTATION AT THE BEGINNING OF EACH SUBSEQUENT ACADEMIC YEAR FOR CRITICAL OCCUPATIONS IN GROWING INDUSTRIES.

(II) BASED ON THE TOP JOBS LISTING IN THE TALENT PIPELINE REPORT PREPARED IN JANUARY 2014, THE FIRST THREE GROWING INDUSTRIES FOR DESIGN OF A CAREER PATHWAY ARE CONSTRUCTION AND RELATED SKILLED TRADES, INFORMATION TECHNOLOGY, AND HEALTH CARE.

(c) INDUSTRY, THROUGH REGIONAL SECTOR PARTNERSHIPS, AND STATEWIDE TRADE ASSOCIATIONS SHALL REVIEW EACH CAREER PATHWAY ANNUALLY TO ENSURE THAT THE CAREER PATHWAY REMAINS RELEVANT TO THE INDUSTRY AND SHALL PROVIDE INPUT FOR ONGOING ADJUSTMENTS TO THE CAREER PATHWAY TO MEET WORK FORCE NEEDS.

(d) CAREER PATHWAYS DESIGNED PURSUANT TO THIS SECTION SHALL INCLUDE:

(I) APPRENTICESHIP AND OTHER WORK-BASED LEARNING OPTIONS WHEN RELEVANT TO THE CAREER PATHWAY AND AVAILABLE IN THE STATE;

(II) DIRECT ALIGNMENT WITH POSTSECONDARY AND WORK FORCE READINESS AND INDIVIDUAL CAREER AND ACADEMIC PLANS IN HIGH SCHOOLS. THE DEPARTMENT OF EDUCATION AND LOCAL SCHOOL DISTRICTS THROUGH POSTSECONDARY AND WORK FORCE READINESS COORDINATORS SHALL PARTNER WITH THE STATE COUNCIL TO ACHIEVE THE ALIGNMENT.

(III) INITIATIVES FOR ADULT AND OUT-OF-SCHOOL YOUTH WHEN RELEVANT TO THE CAREER PATHWAY AND AVAILABLE.

(4) IN DESIGNING CAREER PATHWAYS, THE STATE COUNCIL SHALL:

(a) COORDINATE THE CAREER PATHWAY WORK GROUP MADE UP OF ALL PARTNERS' SUBJECT MATTER EXPERTS TO ENSURE THAT CAREER PATHWAYS ARE COMPREHENSIVE AND INTEGRATED ACROSS SECONDARY, POSTSECONDARY, WORK FORCE, AND INDUSTRY EDUCATION AND TRAINING PROGRAMS AND TO ENSURE THAT ALL PARTNERS ARE ENGAGED IN THE DESIGN OF THE CAREER PATHWAYS; AND

(b) USE THE SECTOR PARTNERSHIP MODEL AND RELATIONSHIPS WITH STATEWIDE TRADE ASSOCIATIONS TO ENSURE THAT ALL CAREER PATHWAYS ARE INDUSTRY DRIVEN AND RELEVANT. A CAREER PATHWAY SHALL NOT BE DESIGNED WITHOUT ACTIVE INDUSTRY ENGAGEMENT THROUGHOUT THE PROCESS, FROM THE BEGINNING OF THE PROCESS THROUGH THE FINAL CAREER PATHWAY THAT IS READY FOR IMPLEMENTATION.

(5) THE STATE COUNCIL AND PARTNERS SHALL USE THE MODEL DEVELOPED TO CREATE THE MANUFACTURING CAREER PATHWAY PURSUANT TO SECTION 23-60-1003, C.R.S., INCLUDING ANY IMPROVEMENTS TO THE MODEL BASED UPON THE IMPLEMENTATION OF THE MANUFACTURING CAREER PATHWAY. CONSISTENT WITH THE MANUFACTURING CAREER PATHWAY, CAREER PATHWAYS CREATED PURSUANT TO THIS SECTION MUST HAVE THE COMPONENTS DESCRIBED IN SECTION 23-60-1003 (2), C.R.S., AS THEY RELATE TO THE SPECIFIC CAREER PATHWAY BEING CREATED.

(6) ONCE A CAREER PATHWAY IS COMPLETED PURSUANT TO THIS SECTION, THE STATE COUNCIL SHALL FACILITATE OUTREACH AND TRAINING RELATED TO ADVISING STUDENTS ON THE CAREER PATHWAYS FOR ALL PARTNERS INVOLVED IN IMPLEMENTING THE CAREER PATHWAY, AS WELL AS OTHER LOCAL, REGIONAL, OR STATE ENTITIES THAT ARE INTERESTED IN PROMOTING THE CAREER PATHWAY TO STUDENTS.

(7)(a) ONCE A CAREER PATHWAY IS COMPLETED PURSUANT TO THIS SECTION, THE STATE COUNCIL SHALL COLLABORATE WITH THE DEPARTMENT OF HIGHER EDUCATION AND THE DEPARTMENT OF LABOR AND EMPLOYMENT TO CREATE A MICROSITE CONCERNING THE CAREER PATHWAY ON A STATE-PROVIDED, FREE ON-LINE RESOURCE. AT A MINIMUM, THE FOLLOWING INFORMATION MUST BE INCLUDED:

(I) INDUSTRY-SECTOR CAREER AWARENESS;

(II) SALARY AND WAGE INFORMATION FOR THE INDUSTRY-SECTOR CAREER;

(III) THE INDUSTRY-SECTOR EMPLOYMENT FORECAST;

(IV) INFORMATION ON PROGRAMS WITHIN THE CAREER PATHWAY, SERVICES PROVIDED, AND FINANCIAL AID OPPORTUNITIES FOR STUDENTS; AND

(V) ON-LINE STUDENT SUPPORT SERVICES.

(b) THE STATE COUNCIL MAY USE MONEYS CREDITED TO THE TALENT PIPELINE CASH FUND, CREATED IN SECTION 24-46.3-101, TO ADD ADDITIONAL INFORMATION AND TOOLS TO A CAREER PATHWAYS MICROSITE, SIMILAR TO THE INFORMATION AND TOOLS PROVIDED IN THE MICROSITE RELATING TO THE MANUFACTURING CAREER

PATHWAY.

SECTION 2. In Colorado Revised Statutes, 22-10-103, **amend** (11) (b) (IV) as follows:

22-10-103. Definitions. As used in this article, unless the context otherwise requires:

(11) (b) For purposes of this subsection (11), a postsecondary education or training provider includes, but need not be limited to:

(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~~ PURSUANT TO part 10 of article 60 of title 23, C.R.S., OR ANOTHER CAREER PATHWAY PURSUANT TO SECTION 24-46.3-104, C.R.S.; and

SECTION 3. In Colorado Revised Statutes, **add** 23-60-109 as follows:

23-60-109. Career pathways - design - legislative declaration. (1) THE GENERAL ASSEMBLY FINDS AND DECLARES THAT:

(a) THE BOARD DEVELOPED THE MANUFACTURING CAREER PATHWAY PURSUANT TO PART 10 OF THIS ARTICLE AFTER CONSULTING WITH LOCAL DISTRICT JUNIOR COLLEGES AND AREA VOCATIONAL SCHOOLS, AND IN COLLABORATION WITH THE DEPARTMENT OF LABOR AND EMPLOYMENT, THE DEPARTMENT OF HIGHER EDUCATION, THE DEPARTMENT OF EDUCATION, AND THE STATE WORK FORCE DEVELOPMENT COUNCIL, CREATED IN SECTION 24-46.3-101, C.R.S.;

(b) THE MANUFACTURING CAREER PATHWAY WAS BASED UPON GUIDELINES ENDORSED BY THE STATE WORK FORCE DEVELOPMENT COUNCIL; AND

(c) THE KNOWLEDGE AND EXPERIENCE GAINED THROUGH THE PROCESS OF DESIGNING AND IMPLEMENTING THE MANUFACTURING CAREER PATHWAY SHOULD INFORM THE DESIGN AND IMPLEMENTATION OF ADDITIONAL CAREER PATHWAYS PURSUANT TO SECTION 24-46.3-104, C.R.S.

(2) THE BOARD SHALL COLLABORATE WITH THE STATE WORK FORCE DEVELOPMENT COUNCIL TO DESIGN CAREER PATHWAYS PURSUANT TO THE PROVISIONS OF SECTION 24-46.3-104, C.R.S. THE STATE WORK FORCE DEVELOPMENT COUNCIL IS RESPONSIBLE FOR COORDINATING THE DESIGN OF THE CAREER PATHWAYS. CAREER PATHWAYS DESIGNED PURSUANT TO SECTION 24-46.3-104, C.R.S., MUST USE THE MODEL DEVELOPED TO CREATE THE MANUFACTURING CAREER PATHWAY PURSUANT TO SECTION 23-60-1003, INCLUDING ANY IMPROVEMENTS TO THE MODEL BASED UPON THE IMPLEMENTATION OF THE MANUFACTURING CAREER PATHWAY. CAREER PATHWAYS CREATED PURSUANT TO SECTION 24-46.3-104, C.R.S., MUST HAVE THE COMPONENTS DESCRIBED IN SECTION 23-60-1003 (2), AS THEY RELATE TO THE SPECIFIC CAREER PATHWAY BEING CREATED.

SECTION 4. In Colorado Revised Statutes, **add** 23-18-308 as follows:

23-18-308. Fee-for-service contracts - limited purpose. (1) SUBJECT TO

AVAILABLE APPROPRIATIONS, THE DEPARTMENT SHALL ENTER INTO A FEE-FOR-SERVICE CONTRACT FOR THE FOLLOWING PURPOSE:

(a) (I) THE CREATION OF CAREER PATHWAYS FOR STUDENTS PURSUANT TO SECTIONS 23-60-109 AND 24-46.3-104, C.R.S.

(II) NOTWITHSTANDING ANY PROVISION OF THIS PART 3 TO THE CONTRARY, THE AMOUNT OF A FEE-FOR-SERVICE CONTRACT ENTERED INTO PURSUANT TO THIS SECTION IS NOT INCLUDED IN THE CALCULATION OF "TOTAL STATE APPROPRIATION" OR "TOTAL GOVERNING BOARD APPROPRIATION" MADE PURSUANT TO THIS PART 3.

SECTION 5. Appropriation. (1) For the 2015-16 state fiscal year, \$485,043 is appropriated to the department of labor and employment for use by the division of employment and training. This appropriation is from the general fund and is based on an assumption that the division will require an additional 2.5 FTE. To implement this act, the division may use this appropriation for the workforce development council.

(2) For the 2015-16 state fiscal year, \$86,960 is appropriated to the department of higher education. This appropriation is from the general fund. To implement this act, the department may use this appropriation for college opportunity fund program fee-for-service contracts with state institutions pursuant to section 23-18-308, C.R.S.

(3) For the 2015-16 state fiscal year, \$86,960 is appropriated to the department of higher education. This appropriation is from reappropriated funds received from the college opportunity fund program fee-for-service contracts with state institutions under subsection (2) of this section. To implement this act, the department may use this appropriation for the state board for community colleges and occupational education state system community colleges.

(4) For the 2015-16 state fiscal year, \$200,000 is appropriated to the department of higher education. This appropriation is from reappropriated funds received from the department of labor and employment under subsection (1) of this section. To implement this act, the department may use this appropriation for Colorado commission on higher education administration.

SECTION 6. 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 5, 2015, if adjournment sine die is on May 6, 2015); 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 2016 and, in such case, will take effect on the date of the official declaration of the vote thereon by the governor.

Approved: May 18, 2015