

**First Regular Session
Seventieth General Assembly
STATE OF COLORADO**

PREAMENDED

*This Unofficial Version Includes Committee
Amendments Not Yet Adopted on Second Reading*

LLS NO. 15-0845.01 Brita Darling x2241

HOUSE BILL 15-1270

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A BILL FOR AN ACT

101 **CONCERNING AUTHORIZATION FOR LOCAL EDUCATION PROVIDERS TO**
102 **OPERATE PATHWAYS IN TECHNOLOGY EARLY COLLEGE HIGH**
103 **SCHOOLS, AND, IN CONNECTION THEREWITH, MAKING AN**
104 **APPROPRIATION.**

Bill Summary

(Note: This summary applies to this bill as introduced and does not reflect any amendments that may be subsequently adopted. If this bill passes third reading in the house of introduction, a bill summary that applies to the reengrossed version of this bill will be available at <http://www.leg.state.co.us/billsummaries>.)

The bill authorizes the operation of a limited number of pathways in technology early college high schools (p-tech schools) in the state. A p-tech school enrolls students in grades 9 through 14 in an educational

Shading denotes HOUSE amendment. Double underlining denotes SENATE amendment.
Capital letters indicate new material to be added to existing statute.
Dashes through the words indicate deletions from existing statute.

HOUSE
3rd Reading Unamended
April 2, 2015

HOUSE
Amended 2nd Reading
April 1, 2015

program that focuses on science, technology, engineering, and mathematics. The p-tech school combines high school and college-level course work with workplace educational experiences. A student who graduates from a p-tech school is expected to graduate with a high school diploma and an associate degree in applied science.

To operate a p-tech school, a school district, board of cooperative services, or charter school (local education provider) must enter into an agreement with a community college, as defined in the bill, and one or more employers. The parties to the agreement will collaborate in presenting the courses, providing student support services, and providing workplace educational experiences. They must also share decision-making responsibilities for the p-tech school.

The commissioner of education (commissioner) and the executive director of the department of higher education, acting jointly, must approve a p-tech school before it can operate within the state. The local education provider that operates the school may apply by submitting to the commissioner and the executive director a copy of the operating agreement, a description of the operating model for the p-tech school, the plan for enrolling students in the p-tech school, and other specified information. A p-tech school is subject to the same accountability requirements as other public schools, and a p-tech school's performance rating takes into account the employability of students who graduate from the p-tech school.

A p-tech school is funded through the school finance formula. Students enrolled in grades 9 through 12 are funded on the same basis as other high school students enrolled in public schools and students enrolled in grades 13 and 14 are funded at the same funding level as students who participate in the ASCENT program. Students enrolled in a p-tech school are included in the district pupil enrollment as full-time students. In addition, students enrolled in grades 13 and 14 are eligible to receive a stipend through the college opportunity fund.

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

2 **SECTION 1.** In Colorado Revised Statutes, **add** article 35.3 to
3 title 22 as follows:

4 **ARTICLE 35.3**

5 **Pathways in Technology Early College High Schools**

6 **22-35.3-101. Legislative declaration.** (1) THE GENERAL
7 ASSEMBLY FINDS THAT:

1 (a) THE PATHWAYS IN TECHNOLOGY EARLY COLLEGE HIGH SCHOOL
2 MODEL (P-TECH) ALLOWS STUDENTS TO GRADUATE FROM HIGH SCHOOL
3 WITH A HIGH SCHOOL DIPLOMA AND AN INDUSTRY-RECOGNIZED ASSOCIATE
4 DEGREE. STUDENTS IN A P-TECH SCHOOL MAY ALSO EARN
5 PRE-APPRENTICESHIP CERTIFICATES AND OTHER INDUSTRY-RECOGNIZED
6 CERTIFICATES IN ADDITION TO AN ASSOCIATE DEGREE;

7 (b) THE SUCCESS OF P-TECH SCHOOLS DEPENDS UPON CLOSE
8 COLLABORATION BETWEEN A LOCAL EDUCATION PROVIDER, A COMMUNITY
9 COLLEGE, AND ONE OR MORE LOCAL HIGH-GROWTH INDUSTRY EMPLOYERS;

10 (c) THE P-TECH SCHOOL MODEL HAS BEEN RECENTLY ESTABLISHED
11 IN OTHER STATES, INCLUDING NEW YORK, CONNECTICUT, AND ILLINOIS,
12 AND IS SHOWING PROMISE; AND

13 (d) GRADUATING MORE HIGH SCHOOL STUDENTS WITH
14 CAREER-READY SKILLS TO MEET COLORADO'S WORKFORCE NEEDS IS PART
15 OF THE STATE'S EDUCATION AND ECONOMIC DEVELOPMENT GOALS.

16 (2) THE GENERAL ASSEMBLY THEREFORE DECLARES THAT
17 ESTABLISHING A LIMITED NUMBER OF P-TECH SCHOOLS IN THE STATE WILL
18 BENEFIT STUDENTS AND INDUSTRY IN COLORADO.

19 **22-35.3-102. Definitions.** AS USED IN THIS ARTICLE, UNLESS THE
20 CONTEXT OTHERWISE REQUIRES:

21 (1) "ACCOUNTING DISTRICT" HAS THE SAME MEANING AS
22 PROVIDED IN SECTION 22-54-103 (1.3).

23 (2) "CERTIFIED CENTER OF LEARNING" MEANS AN EMPLOYER THAT
24 ENTERS INTO AN AGREEMENT WITH A P-TECH SCHOOL AND UNDERGOES A
25 THIRD-PARTY CERTIFICATION PROCESS PROVING THAT THEY ARE
26 QUALIFIED TO ASSIST THE LOCAL EDUCATION PROVIDER IN CREATING AND
27 PROVIDING WORKPLACE EDUCATION EXPERIENCES AND TRAINING, WHICH

1 EXPERIENCES AND TRAINING MAY INCLUDE BUT NEED NOT BE LIMITED TO
2 JOB SHADOWING, MENTORING, INTERNSHIPS, AND APPRENTICESHIPS.

3 (3) "COMMISSIONER" MEANS THE OFFICE OF THE COMMISSIONER
4 OF EDUCATION CREATED AND EXISTING PURSUANT TO SECTION 1 OF
5 ARTICLE IX OF THE STATE CONSTITUTION.

6 (4) "COMMUNITY COLLEGE" MEANS A COMMUNITY COLLEGE
7 GOVERNED BY THE STATE BOARD FOR COMMUNITY COLLEGES AND
8 OCCUPATIONAL EDUCATION OR A STATE-SUPPORTED INSTITUTION OF
9 HIGHER EDUCATION OR LOCAL DISTRICT JUNIOR COLLEGE THAT IS
10 AUTHORIZED TO GRANT ASSOCIATE DEGREES.

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

13 (6) "DISTRICT EXTENDED HIGH SCHOOL PUPIL ENROLLMENT" HAS
14 THE SAME MEANING AS PROVIDED IN SECTION 22-54-103 (5.2).

15 (7) "EXECUTIVE DIRECTOR" MEANS THE OFFICE OF THE EXECUTIVE
16 DIRECTOR OF THE DEPARTMENT OF HIGHER EDUCATION CREATED AND
17 EXISTING PURSUANT TO SECTION 24-1-114, C.R.S.

18 (8) "FUNDED PUPIL COUNT" HAS THE SAME MEANING AS PROVIDED
19 IN SECTION 22-54-103 (7).

20 (9) "LOCAL EDUCATION PROVIDER" MEANS A SCHOOL DISTRICT, A
21 BOARD OF COOPERATIVE SERVICES THAT OPERATES A HIGH SCHOOL, THE
22 STATE CHARTER SCHOOL INSTITUTE ESTABLISHED IN SECTION 22-30.5-503,
23 OR A CHARTER SCHOOL AUTHORIZED PURSUANT TO PART 1 OR PART 5 OF
24 ARTICLE 30.5 OF THIS TITLE.

25 (10) "P-TECH SCHOOL" MEANS A PATHWAYS IN TECHNOLOGY
26 EARLY COLLEGE HIGH SCHOOL THAT IS APPROVED PURSUANT TO THIS
27 ARTICLE.

1 (11) "PUPIL ENROLLMENT" HAS THE SAME MEANING AS PROVIDED
2 IN SECTION 22-54-103 (10).

3 **22-35.3-103. Pathways in technology early college high schools**
4 **- design - requirements - approval.** (1) A PATHWAYS IN TECHNOLOGY
5 EARLY COLLEGE HIGH SCHOOL, OR P-TECH SCHOOL, IS A PUBLIC SCHOOL
6 THAT INCLUDES GRADES NINE THROUGH FOURTEEN AND IS DESIGNED TO
7 PREPARE STUDENTS FOR HIGH-POTENTIAL CAREERS IN INDUSTRY BY
8 ENABLING THEM TO GRADUATE WITH A HIGH SCHOOL DIPLOMA AND AN
9 INDUSTRY-RECOGNIZED ASSOCIATE DEGREE. STUDENTS IN A P-TECH
10 SCHOOL MAY ALSO EARN PRE-APPRENTICESHIP CERTIFICATES AND OTHER
11 INDUSTRY-RECOGNIZED CERTIFICATES IN ADDITION TO AN ASSOCIATE
12 DEGREE. A P-TECH SCHOOL IS OPERATED AS A COLLABORATIVE EFFORT BY
13 A LOCAL EDUCATION PROVIDER, A COMMUNITY COLLEGE, AND ONE OR
14 MORE LOCAL HIGH-GROWTH INDUSTRY EMPLOYERS. THROUGHOUT
15 GRADES NINE THROUGH FOURTEEN, A P-TECH SCHOOL INTEGRATES HIGH
16 SCHOOL AND COLLEGE COURSES AND CERTIFICATE PROGRAMS THAT ARE
17 INFORMED BY CURRENT AND PROJECTED INDUSTRY STANDARDS AND
18 FOCUSED ON SCIENCE, TECHNOLOGY, ENGINEERING, AND MATHEMATICS
19 WITH MENTORING, JOB SHADOWING, INTERNSHIPS, PRE-APPRENTICESHIP
20 TRAINING, AND OTHER WORKPLACE EDUCATION EXPERIENCES.

21 (2) A P-TECH SCHOOL TO BE OPERATED BY A LOCAL EDUCATION
22 PROVIDER MUST BE JOINTLY APPROVED BY THE COMMISSIONER OF
23 EDUCATION AND THE EXECUTIVE DIRECTOR OF THE DEPARTMENT OF
24 HIGHER EDUCATION. THE COMMISSIONER AND THE EXECUTIVE DIRECTOR
25 SHALL JOINTLY ESTABLISH TIME LINES AND PROCEDURES BY WHICH A
26 LOCAL EDUCATION PROVIDER MAY APPLY TO OPERATE A P-TECH SCHOOL
27 AND SHALL DEVELOP A MODEL P-TECH AGREEMENT TEMPLATE THAT MAY

1 BE USED BY AN APPLICANT. THE APPLICATION MUST INCLUDE:

2 (a) THE AGREEMENT THAT THE LOCAL EDUCATION PROVIDER, A
3 COMMUNITY COLLEGE, AND ONE OR MORE EMPLOYERS ENTER INTO TO
4 OPERATE THE P-TECH SCHOOL, WHICH MUST ADDRESS:

5 (I) THE RESPONSIBILITIES OF THE LOCAL EDUCATION PROVIDER
6 AND THE COMMUNITY COLLEGE TO PROVIDE, AT A MINIMUM, COURSE
7 WORK, COUNSELING, AND STUDENT SUPPORT SERVICES, AS WELL AS
8 PROVISIONS RELATING TO INSTRUCTOR QUALIFICATIONS;

9 (II) THE RESPONSIBILITIES OF THE EMPLOYER TO PROVIDE
10 WORKPLACE EDUCATION AND EXPERIENCES AND TO CONSULT WITH THE
11 LOCAL EDUCATION PROVIDER ON COURSE DESIGN, AS REQUESTED,
12 WHETHER THE EMPLOYER IS A CERTIFIED CENTER OF LEARNING, WITH
13 PREFERENCE GIVEN TO SUCH EMPLOYERS, AND ANY FUNDING THAT THE
14 EMPLOYER MAY PROVIDE FOR THE P-TECH SCHOOL PROGRAM;

15 (III) THE PROCEDURE FOR COMMUNICATION AND SHARED
16 DECISION-MAKING BY THE LOCAL EDUCATION PROVIDER, COMMUNITY
17 COLLEGE, AND EMPLOYER REGARDING SCHOOL OPERATIONS; AND

18 (IV) THE ALLOCATION OF SUPPORT, INCLUDING BUT NOT LIMITED
19 TO FUNDING, INTERNSHIPS, MENTORSHIPS, POTENTIAL JOB OPPORTUNITIES,
20 AND OTHER RELATED RESOURCES, BETWEEN THE LOCAL EDUCATION
21 PROVIDER, THE EMPLOYER, AND THE COMMUNITY COLLEGE;

22 (b) THE OPERATIONAL MODEL FOR THE P-TECH SCHOOL, INCLUDING
23 BUT NOT LIMITED TO CURRICULA, INSTRUCTIONAL PRACTICES, FACULTY
24 ROLES, STUDENT SUPPORT STRUCTURES, CLASS SCHEDULES, EXPERIENTIAL
25 LEARNING OPPORTUNITIES, AND THE ASSOCIATE DEGREES THAT STUDENTS
26 MAY ATTAIN THROUGH THE P-TECH SCHOOL;

27 (c) THE ESTIMATED NUMBER OF STUDENTS THAT THE P-TECH

1 SCHOOL WILL ENROLL WHEN OPERATING AT FULL CAPACITY AND THE PLAN
2 FOR SELECTING STUDENTS TO ENROLL IN THE P-TECH SCHOOL, WHICH MUST
3 BE DESIGNED IN A WAY THAT ENCOURAGES THE ENROLLMENT OF A
4 STUDENT BODY THAT IS SOCIO-ECONOMICALLY AND RACIALLY DIVERSE
5 AND THAT INCLUDES FIRST-GENERATION COLLEGE STUDENTS, ENGLISH
6 LANGUAGE LEARNERS, AND STUDENTS WITH DISABILITIES;

7 (d) IF THE APPLYING LOCAL EDUCATION PROVIDER IS A CHARTER
8 SCHOOL, WRITTEN CONFIRMATION THAT THE CHARTER SCHOOL'S
9 AUTHORIZER AGREES TO AMEND THE CHARTER CONTRACT TO ALLOW THE
10 CHARTER SCHOOL TO OPERATE AS A P-TECH SCHOOL; AND

11 (e) ANY ADDITIONAL INFORMATION THAT THE COMMISSIONER AND
12 THE EXECUTIVE DIRECTOR MAY REQUIRE.

13 (3) THE COMMISSIONER AND THE EXECUTIVE DIRECTOR SHALL
14 REVIEW EACH APPLICATION RECEIVED AND JOINTLY APPROVE LOCAL
15 EDUCATION PROVIDERS TO OPERATE A LIMITED NUMBER OF P-TECH
16 SCHOOLS WITHIN THE STATE. THE COMMISSIONER AND THE EXECUTIVE
17 DIRECTOR SHALL BASE THEIR SELECTIONS ON THE QUALITY OF THE
18 PROPOSED DESIGN OF THE P-TECH SCHOOL AND THE DEGREE TO WHICH THE
19 AGREEMENT OF THE LOCAL EDUCATION PROVIDER, COMMUNITY COLLEGE,
20 AND EMPLOYER IS COLLABORATIVE AND REQUIRES FULL PARTICIPATION BY
21 EACH PARTY. ONCE AN APPLICATION IS APPROVED, THE LOCAL EDUCATION
22 PROVIDER SHALL HAVE UP TO ONE FULL ACADEMIC YEAR TO IMPLEMENT
23 THE P-TECH PROGRAM. IT IS THE INTENT OF THE GENERAL ASSEMBLY THAT
24 ONE OR MORE P-TECH SCHOOLS BEGIN OPERATING BY THE 2016-17 SCHOOL
25 YEAR.

26 (4) A P-TECH SCHOOL IS SUBJECT TO THE STATE ASSESSMENT
27 REQUIREMENTS SPECIFIED IN SECTIONS 22-7-409 AND 22-7-1006 AND THE

1 ACCOUNTABILITY REQUIREMENTS SPECIFIED IN ARTICLE 11 OF THIS TITLE.
2 IN ADDITION, THE COMMISSIONER AND THE EXECUTIVE DIRECTOR MAY
3 ESTABLISH INDICATORS FOR MEASURING THE PERFORMANCE OF EACH
4 P-TECH SCHOOL, WHICH INDICATORS MAY INCLUDE THE ABILITY OF
5 STUDENTS WHO GRADUATE FROM A P-TECH SCHOOL TO OBTAIN
6 EMPLOYMENT IN THE FIELD OR TO PURSUE ADDITIONAL POSTSECONDARY
7 EDUCATION IN THE FIELD, AS WELL AS ANY RELEVANT PERFORMANCE
8 INDICATORS ESTABLISHED FOR THE CONCURRENT ENROLLMENT AND
9 ASCENT PROGRAMS.

10 **22-35.3-104. P-tech schools - funding.** (1) (a) TO CALCULATE
11 DISTRICT TOTAL PROGRAM, PURSUANT TO SECTION 22-54-104, A SCHOOL
12 DISTRICT THAT IS APPROVED TO OPERATE A P-TECH SCHOOL PURSUANT TO
13 SECTION 22-35.3-103, INCLUDING A P-TECH SCHOOL THAT IS A DISTRICT
14 CHARTER SCHOOL, MAY INCLUDE THE STUDENTS WHO ARE ENROLLED IN
15 GRADES NINE THROUGH TWELVE IN THE P-TECH SCHOOL IN THE SCHOOL
16 DISTRICT'S PUPIL ENROLLMENT, AS DEFINED IN SECTION 22-54-103 (10),
17 AND MAY INCLUDE THE STUDENTS WHO ARE ENROLLED IN GRADES
18 THIRTEEN AND FOURTEEN IN THE P-TECH SCHOOL IN THE SCHOOL
19 DISTRICT'S DISTRICT EXTENDED HIGH SCHOOL PUPIL ENROLLMENT.

20 (b) IF AN INSTITUTE CHARTER SCHOOL IS APPROVED TO OPERATE
21 A P-TECH SCHOOL PURSUANT TO SECTION 22-35.3-103, THE DEPARTMENT
22 SHALL INCLUDE THE STUDENTS WHO ARE ENROLLED IN GRADES NINE
23 THROUGH TWELVE IN THE P-TECH SCHOOL IN THE FUNDED PUPIL COUNT OF
24 THE INSTITUTE CHARTER SCHOOL'S ACCOUNTING DISTRICT AND SHALL
25 INCLUDE THE STUDENTS WHO ARE ENROLLED IN GRADES THIRTEEN AND
26 FOURTEEN IN THE P-TECH SCHOOL IN THE DISTRICT EXTENDED HIGH
27 SCHOOL PUPIL ENROLLMENT OF THE INSTITUTE CHARTER SCHOOL'S

1 ACCOUNTING DISTRICT.

2 (2) A STUDENT WHO IS ENROLLED IN A P-TECH SCHOOL THAT IS
3 APPROVED PURSUANT TO SECTION 22-35.3-103 AND WHO IS
4 SIMULTANEOUSLY ENROLLED IN ONE OR MORE POSTSECONDARY COURSES,
5 INCLUDING ACADEMIC OR CAREER AND TECHNICAL EDUCATION COURSES,
6 AT A COMMUNITY COLLEGE AS PART OF THE P-TECH PROGRAM, IS ELIGIBLE
7 TO RECEIVE A STIPEND FROM THE COLLEGE OPPORTUNITY FUND PURSUANT
8 TO PART 2 OF ARTICLE 18 OF TITLE 23, C.R.S., SO LONG AS THE
9 INSTITUTION THE STUDENT ATTENDS PARTICIPATES IN THE COLLEGE
10 OPPORTUNITY FUND PROGRAM PURSUANT TO SECTION 23-18-202, C.R.S.
11 THE STIPEND IS PAYABLE TO THE COMMUNITY COLLEGE THAT IS A
12 PARTNER IN THE APPROVED P-TECH SCHOOL.

13 **22-35.3-105. Notice to revisor - repeal of article.** (1) THE
14 COMMISSIONER OF EDUCATION SHALL NOTIFY THE REVISOR OF STATUTES
15 IN WRITING IF THE COMMISSIONER OF EDUCATION AND THE EXECUTIVE
16 DIRECTOR OF THE DEPARTMENT OF HIGHER EDUCATION HAVE JOINTLY
17 APPROVED A LOCAL EDUCATION PROVIDER'S APPLICATION FOR A P-TECH
18 SCHOOL BY JANUARY 1, 2017.

19 (2) THIS ARTICLE IS REPEALED, EFFECTIVE JULY 1, 2017, IF THE
20 REVISOR OF STATUTES DOES NOT RECEIVE A NOTICE FROM THE
21 COMMISSIONER OF EDUCATION PURSUANT TO SUBSECTION (1) OF THIS
22 SECTION.

23 **SECTION 2.** In Colorado Revised Statutes, 22-54-103, **amend**
24 (5.2), (7) (e) (I) introductory portion, and (10) (e.5); and **add** (9.7) as
25 follows:

26 **22-54-103. Definitions.** As used in this article, unless the context
27 otherwise requires:

1 (5.2) "~~District ASCENT program~~ EXTENDED HIGH SCHOOL pupil
2 enrollment" means the number of pupils, on the pupil enrollment count
3 day within the applicable budget year, who are concurrently enrolled in
4 a postsecondary course, including an academic course or a career and
5 technical education course, as a participant in the ASCENT program AND
6 THE NUMBER OF PUPILS, ON THE PUPIL ENROLLMENT COUNT DAY WITHIN
7 THE APPLICABLE BUDGET YEAR, WHO ARE ENROLLED IN GRADE THIRTEEN
8 OR FOURTEEN IN A P-TECH SCHOOL. A PUPIL ENROLLED IN A P-TECH
9 SCHOOL PURSUANT TO ARTICLE 35.3 OF THIS TITLE SHALL BE INCLUDED IN
10 THE DISTRICT EXTENDED HIGH SCHOOL PUPIL ENROLLMENT AS A
11 FULL-TIME STUDENT. An ASCENT program participant who is enrolled
12 in at least twelve credit hours of postsecondary courses, including
13 academic courses and career and technical education courses, as of the
14 pupil enrollment count day of the applicable budget year shall be included
15 in the district ~~ASCENT program~~ EXTENDED HIGH SCHOOL pupil
16 enrollment as a full-time pupil. An ASCENT program participant who is
17 enrolled in less than twelve credit hours of postsecondary courses,
18 including academic courses and career and technical education courses,
19 as of the pupil enrollment count day of the applicable budget year shall
20 be included in the district ~~ASCENT program~~ EXTENDED HIGH SCHOOL
21 pupil enrollment as a part-time pupil.

22 (7) "Funded pupil count" means:

23 (e) (I) For budget years commencing on and after July 1, 2009, the
24 district's on-line pupil enrollment for the applicable budget year plus the
25 district's preschool program enrollment for the applicable budget year
26 plus the district's supplemental kindergarten enrollment for the applicable
27 budget year plus the district's ~~ASCENT program~~ EXTENDED HIGH SCHOOL

1 pupil enrollment for the applicable budget year, plus the greater of:

2 (9.7) "P-TECH SCHOOL" MEANS A PATHWAYS IN TECHNOLOGY
3 EARLY COLLEGE HIGH SCHOOL THAT IS APPROVED PURSUANT TO ARTICLE
4 35.3 OF THIS TITLE.

5 (10) (e.5) A pupil who is enrolled as less than a full-time student,
6 other than a student described in paragraph (b) or (d) of this subsection
7 (10) OR A STUDENT ENROLLED IN A P-TECH SCHOOL PURSUANT TO ARTICLE
8 35.3 OF THIS TITLE, shall be counted in accordance with rules promulgated
9 by the state board for students who are enrolled as less than full-time
10 students.

11 **SECTION 3.** In Colorado Revised Statutes, 22-54-104, **amend**
12 (2) (a) (IX), (3.5) (d) (III), (4.7) (a), (4.7) (c), and (5) (g) (VI) (C) as
13 follows:

14 **22-54-104. District total program - definitions.**

15 (2) (a) (IX) Except as otherwise provided in this subsection (2),
16 paragraph (g) of subsection (5) or subsection (6) of this section, or section
17 22-54-104.3, a district's total program for the 2009-10 budget year and
18 budget years thereafter shall be the greater of the following:

19 (A) (District per pupil funding x (District funded pupil count -
20 District on-line pupil enrollment - District ~~ASCENT program~~ EXTENDED
21 HIGH SCHOOL pupil enrollment)) + District at-risk funding + District
22 on-line funding + District ~~ASCENT program~~ EXTENDED HIGH SCHOOL
23 funding; or

24 (B) (Minimum per pupil funding x (District funded pupil count -
25 District on-line pupil enrollment - District ~~ASCENT program~~ EXTENDED
26 HIGH SCHOOL pupil enrollment)) + District on-line funding + District
27 ~~ASCENT program~~ EXTENDED HIGH SCHOOL funding.

1 (3.5) Minimum per pupil funding shall be:

2 (d) (III) (A) As used in this subsection (3.5), for the 2009-10
3 budget year and budget years thereafter, "minimum per pupil funding
4 base" means the total of the calculation specified in sub-subparagraph (B)
5 of this subparagraph (III) for all districts for the budget year divided by
6 the statewide funded pupil count minus the statewide on-line pupil
7 enrollment and minus the statewide ~~ASCENT program~~ EXTENDED HIGH
8 SCHOOL pupil enrollment, for said budget year.

9 (B) The following calculation shall be used for the purpose of
10 determining the minimum per pupil funding base pursuant to this
11 subparagraph (III):

12 (District per pupil funding x (District funded pupil count - District on-line
13 pupil enrollment - District ~~ASCENT program~~ EXTENDED HIGH SCHOOL
14 pupil enrollment)) + District at-risk funding.

15 (4.7) (a) For the 2009-10 budget year and budget years thereafter,
16 a district's ~~ASCENT program~~ EXTENDED HIGH SCHOOL funding shall be
17 determined in accordance with the following formula:

18 (District ~~ASCENT program~~ EXTENDED HIGH SCHOOL pupil enrollment x
19 \$6,135, or an amount determined pursuant to paragraph (b) of this
20 subsection (4.7)).

21 (c) In any budget year in which the provisions of paragraph (g) of
22 subsection (5) of this section apply, the department of education shall
23 calculate a district's reduction amount for ~~ASCENT program~~ EXTENDED
24 HIGH SCHOOL funding by multiplying the negative factor calculated for
25 the applicable budget year pursuant to sub-subparagraph (A) of
26 subparagraph (II) of paragraph (g) of subsection (5) of this section by the
27 amount of the district's ~~ASCENT program~~ EXTENDED HIGH SCHOOL

1 funding calculated pursuant to paragraph (b) of this subsection (4.7) for
2 the applicable budget year. A district's ~~ASCENT program~~ EXTENDED
3 HIGH SCHOOL funding for the applicable budget year shall be the greater
4 of:

5 (I) The district's ~~ASCENT program~~ EXTENDED HIGH SCHOOL
6 funding calculated for the applicable budget year pursuant to paragraph
7 (b) of this subsection (4.7) minus the district's reduction amount
8 calculated for the applicable budget year pursuant to this paragraph (c) for
9 ~~ASCENT program~~ EXTENDED HIGH SCHOOL funding; or

10 (II) An amount equal to the base per pupil funding amount
11 specified in paragraph (a) of subsection (5) of this section for the
12 applicable budget year multiplied by the district's ~~ASCENT program~~
13 EXTENDED HIGH SCHOOL pupil enrollment for the applicable budget year.

14 (5) For purposes of the formulas used in this section:

15 (g) (VI) For the 2010-11 budget year, two sources of federal
16 moneys, totaling two hundred sixteen million three hundred fifty-eight
17 thousand one hundred sixty-four dollars (\$216,358,164), have been made
18 available to districts and are being allocated to districts by the department
19 of education based on the formulas specified in subsection (2) of this
20 section. Accordingly, the state's share of total program funding for all
21 districts, including the funding for institute charter schools for the
22 2010-11 budget year, has been reduced by said amount as is reflected in
23 the sum of total program funding for the 2010-11 budget year specified
24 in sub-subparagraph (A) of subparagraph (I) of this paragraph (g). For the
25 2010-11 budget year, it is the general assembly's intent that the
26 department of education calculate total program funding for the following
27 purposes as if the state's share of total program funding for the 2010-11

1 budget year was not reduced as specified in this subparagraph (VI):

2 (C) A district's ~~ASCENT program~~ EXTENDED HIGH SCHOOL
3 funding pursuant to subsection (4.7) of this section; and

4 **SECTION 4.** In Colorado Revised Statutes, 22-54-112, **amend**
5 (2) (a) as follows:

6 **22-54-112. Reports to the state board.** (2) (a) On or before
7 November 10 of each year, the secretary of the board of education of each
8 district shall certify to the state board the pupil enrollment, the on-line
9 pupil enrollment, the ~~ASCENT program~~ EXTENDED HIGH SCHOOL pupil
10 enrollment, and the preschool program enrollment of the district taken in
11 the preceding October or previously in November.

12 **SECTION 5.** In Colorado Revised Statutes, 23-18-102, **amend**
13 (5) (a) (I); and **add** (5) (a) (I.5) as follows:

14 **23-18-102. Definitions.** As used in parts 1 and 2 of this article,
15 unless the context otherwise requires:

16 (5) (a) "Eligible undergraduate student" means:

17 (I) A student who is enrolled at a state institution of higher
18 education and who is classified as an in-state student for tuition purposes;

19 **or**

20 (I.5) A STUDENT WHO IS ENROLLED AT A STATE INSTITUTION OF
21 HIGHER EDUCATION AS PART OF A PATHWAYS IN TECHNOLOGY EARLY
22 COLLEGE HIGH SCHOOL THAT IS APPROVED AS PROVIDED IN ARTICLE 35.3
23 OF TITLE 22, C.R.S. AND WHO IS CLASSIFIED AS AN IN-STATE STUDENT FOR
24 TUITION PURPOSES; OR

25 **SECTION 6.** In Colorado Revised Statutes, 23-18-202, **amend**
26 (2) (b), (5) (c) (III), and (5) (f) as follows:

27 **23-18-202. College opportunity fund - appropriations -**

1 **payment of stipends - reimbursement - repeal.** (2) (b) For the state
2 fiscal year commencing July 1, 2005, and for state fiscal years thereafter,
3 for an eligible undergraduate student attending a state institution of higher
4 education, the specified amount of the stipend per credit hour shall be an
5 amount set annually by the general assembly, which in no case shall
6 exceed the student's total in-state tuition. The value of the per credit hour
7 stipend shall be the same for each eligible undergraduate student,
8 regardless of the state institution of higher education that the student
9 attends. The student shall be responsible for paying the student's share of
10 total in-state tuition, if any. IF THE STUDENT IS ENROLLED IN A
11 PATHWAYS IN TECHNOLOGY EARLY COLLEGE HIGH SCHOOL PURSUANT TO
12 ARTICLE 35.3 OF TITLE 22, C.R.S., THE P-TECH SCHOOL SHALL BE
13 RESPONSIBLE FOR PAYING THE STUDENT'S SHARE OF TOTAL IN-STATE
14 TUITION, IF ANY.

15 (5) (c) (III) For an eligible undergraduate student who has
16 completed one or more college courses while enrolled in high school
17 pursuant to the "Concurrent Enrollment Programs Act", article 35 of title
18 22, C.R.S., or while designated by the department of education as an
19 ASCENT program participant pursuant to section 22-35-108, C.R.S., OR
20 WHILE ENROLLED IN A PATHWAYS IN TECHNOLOGY EARLY COLLEGE HIGH
21 SCHOOL PURSUANT TO ARTICLE 35.3 OF TITLE 22, C.R.S., all college-level
22 credit hours earned by the student ~~during such enrollment shall~~ WHILE SO
23 ENROLLED count against the lifetime limitation described in subparagraph
24 (I) of this paragraph (c); except that credit hours earned from enrollment
25 in a basic skills course, as defined in section 23-1-113 (11) (b), shall not
26 count against the lifetime limitation.

27 (f) Notwithstanding the lifetime-credit-hour limitation established

1 pursuant to paragraph (c) of this subsection (5) and in addition to the
2 provisions of paragraph (e) of this subsection (5), a state institution of
3 higher education may annually grant a one-year waiver of the
4 lifetime-credit-hour limitation for up to five percent of the eligible
5 undergraduate students enrolled in the state institution of higher
6 education. In granting the waivers under this paragraph (f), the state
7 institution of higher education shall, upon request, grant a waiver to an
8 eligible undergraduate student for courses taken pursuant to the
9 "Concurrent Enrollment Programs Act", article 35 of title 22, C.R.S., OR
10 FOR COURSES TAKEN WHILE ENROLLED IN A PATHWAYS IN TECHNOLOGY
11 EARLY COLLEGE HIGH SCHOOL PURSUANT TO ARTICLE 35.3 OF TITLE 22,
12 C.R.S. For any remaining portion of the institution's five percent of
13 eligible undergraduate students who may receive waivers, the institution
14 shall give priority to students who are seeking job retraining.

15

16 **SECTION 7.** In Colorado Revised Statutes, 22-35-108, **amend**
17 **as amended by Senate Bill 15-138** (3) as follows:

18 **22-35-108. Accelerating students through concurrent**
19 **enrollment program - objectives - selection criteria - rules.** (3) (a) The
20 local education provider of a qualified student who is designated by the
21 department as an ASCENT program participant may include the student
22 in the district's funded pupil count, or, in the case of a student enrolled in
23 an institute charter school, in the school's accounting district, as provided
24 in section 22-54-103 (7).

25 (b) A local education provider that receives ~~ASCENT program~~
26 ~~EXTENDED HIGH SCHOOL~~ funding, as described in section 22-54-104 (4.7),
27 in a budget year ~~FOR ASCENT PROGRAM PARTICIPANTS~~ may expend the

1 ~~ASCENT program~~ funding on behalf of ASCENT program participants
2 who enroll in an institution of higher education during that budget year
3 and on behalf of ASCENT program participants who, by May 1 of that
4 budget year, are admitted to an institution of higher education to
5 participate in the ASCENT program during the next budget year.

6 (c) The local education provider shall certify to the department by
7 May 10 of each year the list of ASCENT program participants who are
8 admitted to an institution of higher education to participate in the
9 ASCENT program during the next budget year. At the end of the budget
10 year in which the local education provider receives the ~~ASCENT program~~
11 ~~EXTENDED HIGH SCHOOL funding FOR ASCENT PROGRAM PARTICIPANTS,~~
12 the local education provider shall remit to the department any remaining
13 amount of the ~~ASCENT program~~ funding that the local education
14 provider is not using for an ASCENT program participant who is
15 included on the certified list.

16 **SECTION 8. Appropriation.** (1) For the 2015-16 state fiscal
17 year, \$7,232 is appropriated to the department of education. This
18 appropriation is from the general fund and is based on the assumption that
19 the department will require an additional 0.1 FTE. To implement this act,
20 the department may use this appropriation for preschool to postsecondary
21 education alignment.

22 (2) For the 2015-16 state fiscal year, \$7,232 is appropriated to the
23 department of higher education for use by the Colorado commission on
24 higher education. This appropriation is from the general fund and is based
25 on an assumption that the commission will require an additional 0.1 FTE.
26 To implement this act, the commission may use this appropriation for
27 administration.

1 **SECTION 9. Act subject to petition - effective date.** (1) Except
2 as otherwise provided in subsection (2) of this section, this act takes
3 effect at 12:01 a.m. on the day following the expiration of the ninety-day
4 period after final adjournment of the general assembly (August 5, 2015,
5 if adjournment sine die is on May 6, 2015); except that, if a referendum
6 petition is filed pursuant to section 1 (3) of article V of the state
7 constitution against this act or an item, section, or part of this act within
8 such period, then the act, item, section, or part will not take effect unless
9 approved by the people at the general election to be held in November
10 2016 and, in such case, will take effect on the date of the official
11 declaration of the vote thereon by the governor.

12 (2) Section 7 of this act takes effect only if Senate Bill 15-138
13 becomes law.