

# An Act

HOUSE BILL 12-1146

BY REPRESENTATIVE(S) Nikkel, Todd, Massey, Beezley, Murray, Solano, Summers, Barker, Brown, Casso, Duran, Fields, Fischer, Gerou, Hamner, Hullinghorst, Kerr A., Kerr J., Labuda, Ryden, Schafer S., Vigil, Young, Court, Holbert, Kefalas, Priola, Singer, Williams A.;  
also SENATOR(S) Giron, Aguilar, Bacon, Boyd, Carroll, Foster, Heath, Hodge, Hudak, Jahn, Johnston, King K., King S., Lambert, Lundberg, Morse, Newell, Roberts, Schwartz, Spence, Steadman, Tochtrop, White, Williams S.

CONCERNING PROGRAMS TO ALLOW STUDENTS TO ENROLL IN  
POSTSECONDARY INSTITUTIONS TO COMPLETE HIGH SCHOOL  
GRADUATION REQUIREMENTS.

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

**SECTION 1.** In Colorado Revised Statutes, **add** 22-35-109.5 as follows:

**22-35-109.5. Community colleges - dropout recovery programs - definitions.** (1) AS USED IN THIS SECTION, UNLESS THE CONTEXT OTHERWISE REQUIRES:

(a) "COMMUNITY COLLEGE" MEANS AN INSTITUTION THAT OPERATES

AS PART OF THE STATE SYSTEM OF COMMUNITY COLLEGES ESTABLISHED IN PART 2 OF ARTICLE 60 OF TITLE 23, C.R.S., OR A JUNIOR COLLEGE, AS DEFINED IN SECTION 23-71-102, C.R.S., THAT OPERATES PURSUANT TO ARTICLE 71 OF TITLE 23, C.R.S.

(b) "DROPOUT RECOVERY PROGRAM" MEANS A DUAL-CREDIT HIGH SCHOOL DIPLOMA COMPLETION PROGRAM OPERATED BY A COMMUNITY COLLEGE PURSUANT TO AN AGREEMENT WITH A LOCAL EDUCATION PROVIDER FOR STUDENTS WHO HAVE DROPPED OUT OR ARE AT RISK OF DROPPING OUT OF HIGH SCHOOL.

(2)(a) A COMMUNITY COLLEGE MAY ENTER INTO AGREEMENTS WITH ONE OR MORE LOCAL EDUCATION PROVIDERS TO OPERATE DROPOUT RECOVERY PROGRAMS FOR STUDENTS WHO HAVE DROPPED OUT OR ARE AT RISK OF DROPPING OUT OF HIGH SCHOOL. TO PARTICIPATE IN A DROPOUT RECOVERY PROGRAM, A STUDENT SHALL BE AT LEAST SIXTEEN YEARS OF AGE BUT YOUNGER THAN TWENTY-ONE YEARS OF AGE. IF THE STUDENT IS AT RISK OF DROPPING OUT OF HIGH SCHOOL, THE STUDENT SHALL OBTAIN PERMISSION FROM THE CHIEF EXECUTIVE OFFICER OF THE SCHOOL IN WHICH THE STUDENT IS ENROLLED BEFORE THE STUDENT MAY PARTICIPATE IN THE DROPOUT RECOVERY PROGRAM. A STUDENT WHO ENROLLS IN A DROPOUT RECOVERY PROGRAM IS INCLUDED IN THE PUPIL ENROLLMENT OF THE LOCAL EDUCATION PROVIDER THAT IS A PARTNER IN THE PROGRAM, BUT DOES NOT ATTEND CLASSES AT A SCHOOL OPERATED BY THE LOCAL EDUCATION PROVIDER. THE STUDENT ATTENDS CLASSES EITHER IN PERSON OR VIRTUALLY ONLY AT THE COMMUNITY COLLEGE AT WHICH THE STUDENT ENROLLS PURSUANT TO THE DROPOUT RECOVERY PROGRAM. A STUDENT MAY PARTICIPATE IN A DROPOUT RECOVERY PROGRAM UNTIL HE OR SHE COMPLETES THE HIGH SCHOOL GRADUATION REQUIREMENTS OR REACHES TWENTY-ONE YEARS OF AGE, WHICHEVER COMES FIRST.

(b) NOTWITHSTANDING ANY PROVISION OF THIS ARTICLE OR OF ARTICLE 54 OF THIS TITLE OR ANY RULES ADOPTED FOR THE IMPLEMENTATION OF SAID ARTICLE TO THE CONTRARY:

(I) A STUDENT ENROLLED IN A DROPOUT RECOVERY PROGRAM PURSUANT TO THIS SECTION MAY ENROLL IN BASIC SKILLS COURSES, AS NECESSARY, REGARDLESS OF THE STUDENT'S HIGH SCHOOL GRADE LEVEL;

(II) A STUDENT ENROLLED IN A DROPOUT RECOVERY PROGRAM

PURSUANT TO THIS SECTION IS NOT RESTRICTED IN THE NUMBER OF CREDIT HOURS PER SEMESTER OR IN THE OVERALL NUMBER OF CREDIT HOURS FOR WHICH THE STUDENT MAY ENROLL THROUGH THE DROPOUT RECOVERY PROGRAM, UNLESS LIMITED BY THE ENROLLING INSTITUTION;

(III) AFTER A STUDENT ENROLLS IN A DROPOUT RECOVERY PROGRAM, THE LOCAL EDUCATION PROVIDER THAT IS A PARTNER IN THE PROGRAM MAY INCLUDE THE STUDENT IN ITS PUPIL ENROLLMENT AS A FULL-TIME STUDENT, REGARDLESS OF WHETHER THE STUDENT IS ACTUALLY IN CLASS FOR THE MINIMUM NUMBER OF REQUIRED HOURS FOR FULL-TIME ENROLLMENT, SO LONG AS THE STUDENT ENROLLS IN AT LEAST SEVEN CREDIT HOURS PER SEMESTER; AND

(IV) A STUDENT ENROLLED IN A DROPOUT RECOVERY PROGRAM PURSUANT TO THIS SECTION MAY ENROLL IN COURSES AT THE COMMUNITY COLLEGE THAT QUALIFY FOR CREDIT TOWARD COMPLETION OF THE LOCAL EDUCATION PROVIDER'S REQUIREMENTS FOR HIGH SCHOOL GRADUATION, EVEN IF THE COURSES DO NOT QUALIFY FOR BASIC SKILLS CREDIT OR ACADEMIC CREDIT APPLICABLE TOWARD EARNING A DEGREE OR CERTIFICATE AT THE COMMUNITY COLLEGE.

(3) THE AGREEMENT BETWEEN A COMMUNITY COLLEGE AND A LOCAL EDUCATION PROVIDER TO OPERATE A DROPOUT RECOVERY PROGRAM PURSUANT TO THIS SECTION SHALL SPECIFY, AT A MINIMUM, THAT:

(a) ALL OF THE COURSES THE STUDENT IS ALLOWED TO TAKE THROUGH THE DROPOUT RECOVERY PROGRAM QUALIFY FOR CREDIT TOWARD COMPLETION OF THE LOCAL EDUCATION PROVIDER'S REQUIREMENTS FOR HIGH SCHOOL GRADUATION;

(b) THE LOCAL EDUCATION PROVIDER SHALL PROVIDE TO THE COMMUNITY COLLEGE THE UNIQUELY IDENTIFYING STUDENT NUMBER FOR EACH STUDENT ENROLLED IN THE DROPOUT RECOVERY PROGRAM;

(c) THE LOCAL EDUCATION PROVIDER SHALL CONFIRM THAT EACH STUDENT ENROLLED IN THE DROPOUT RECOVERY PROGRAM HAS DROPPED OUT OF ENROLLMENT WITH A LOCAL EDUCATION PROVIDER OR, IF THE STUDENT IS AT RISK OF DROPPING OUT OF HIGH SCHOOL, HAS THE PERMISSION OF THE CHIEF EXECUTIVE OFFICER OF THE SCHOOL IN WHICH THE STUDENT IS ENROLLED TO ENROLL IN THE DROPOUT RECOVERY PROGRAM;

(d) THE LOCAL EDUCATION PROVIDER SHALL INCLUDE EACH STUDENT ENROLLED IN THE DROPOUT RECOVERY PROGRAM AS A FULL-TIME PUPIL IN THE LOCAL EDUCATION PROVIDER'S PUPIL ENROLLMENT SO LONG AS THE STUDENT IS ENROLLED IN THE DROPOUT RECOVERY PROGRAM; AND

(e) THE LOCAL EDUCATION PROVIDER SHALL PAY THE STUDENT SHARE OF THE TUITION FOR EACH COURSE COMPLETED BY A STUDENT THROUGH THE DROPOUT RECOVERY PROGRAM IN AN AMOUNT NEGOTIATED BY THE LOCAL EDUCATION PROVIDER AND THE COMMUNITY COLLEGE. THE LOCAL EDUCATION PROVIDER AND THE COMMUNITY COLLEGE MAY AGREE TO ADDITIONAL FINANCIAL PROVISIONS THAT ARE NOT INCONSISTENT WITH THE PROVISIONS OF SECTION 22-35-105.

**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.

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Frank McNulty  
SPEAKER OF THE HOUSE  
OF REPRESENTATIVES

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Brandon C. Shaffer  
PRESIDENT OF  
THE SENATE

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Marilyn Eddins  
CHIEF CLERK OF THE HOUSE  
OF REPRESENTATIVES

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Cindi L. Markwell  
SECRETARY OF  
THE SENATE

APPROVED \_\_\_\_\_

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John W. Hickenlooper  
GOVERNOR OF THE STATE OF COLORADO