

Second Regular Session  
Sixty-eighth General Assembly  
STATE OF COLORADO

**PREAMENDED**

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

LLS NO. 12-0442.01 Julie Pelegrin x2700

**HOUSE BILL 12-1146**

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**HOUSE SPONSORSHIP**

**Nikkel,** Todd, Massey, Beezley, Murray, Solano, Summers

**SENATE SPONSORSHIP**

**Giron,**

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**House Committees**

Education  
Appropriations

**Senate Committees**

Education

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**A BILL FOR AN ACT**

101 **CONCERNING PROGRAMS TO ALLOW STUDENTS TO ENROLL IN**  
102 **POSTSECONDARY INSTITUTIONS TO COMPLETE HIGH SCHOOL**  
103 **GRADUATION REQUIREMENTS.**

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**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 a community college to agree with a local education provider to create a dropout recovery program through which a student who has dropped out of high school or who is at risk of dropping out of high school can concurrently enroll in the community

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  
March 12, 2012

HOUSE  
Amended 2nd Reading  
March 9, 2012

college and the local education provider to complete his or her high school graduation requirements. The student attends classes exclusively at the community college, and all of the credits he or she earns count toward high school graduation. The dropout recovery program differs from the usual concurrent enrollment program with regard to the student's age, the number and type of course credits authorized, and funding.

The community college and the local education provider enter into an agreement that specifies many aspects of the dropout recovery program, including the tuition rate the local education provider will pay on the student's behalf, which rate cannot exceed the student's share of tuition at a community college. The local education provider will include the student in its pupil enrollment, and the community college will receive college opportunity fund (COF) stipend payments on the student's behalf. All of the college-level credits that the student earns through the dropout recovery program will count against the student's lifetime-limit on the number of credits for which he or she may receive a COF stipend.

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

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

4 **22-35-109.5. Community colleges - dropout recovery**  
5 **programs - definitions.** (1) AS USED IN THIS SECTION, UNLESS THE  
6 CONTEXT OTHERWISE REQUIRES:

7 (a) "COMMUNITY COLLEGE" MEANS AN INSTITUTION THAT  
8 OPERATES AS PART OF THE STATE SYSTEM OF COMMUNITY COLLEGES  
9 ESTABLISHED IN PART 2 OF ARTICLE 60 OF TITLE 23, C.R.S., OR A JUNIOR  
10 COLLEGE, AS DEFINED IN SECTION 23-71-102, C.R.S., THAT OPERATES  
11 PURSUANT TO ARTICLE 71 OF TITLE 23, C.R.S.

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

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

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

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

27           (II) A STUDENT ENROLLED IN A DROPOUT RECOVERY PROGRAM

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

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

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

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

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

27 (b) THE LOCAL EDUCATION PROVIDER SHALL PROVIDE TO THE

1 COMMUNITY COLLEGE THE UNIQUELY IDENTIFYING STUDENT NUMBER FOR  
2 EACH STUDENT ENROLLED IN THE DROPOUT RECOVERY PROGRAM; [REDACTED]

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

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

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

23 [REDACTED]

24 **SECTION 2. Safety clause. The general assembly hereby finds,**  
25 **determines, and declares that this act is necessary for the immediate**  
26 **preservation of the public peace, health, and safety. \_\_\_\_\_**