

NOTE: This bill has been prepared for the signature of the appropriate legislative officers and the Governor. To determine whether the Governor has signed the bill or taken other action on it, please consult the legislative status sheet, the legislative history, or the Session Laws.

An Act

HOUSE BILL 10-1208

BY REPRESENTATIVE(S) Todd and Murray, Massey, Baumgardner, Benefield, Carroll T., Casso, Frangas, Gardner C., Looper, May, McFadyen, McKinley, McNulty, Merrifield, Middleton, Peniston, Priola, Ryden, Scanlan, Schafer S., Solano, Sonnenberg, Summers, Tipton, Acree, Apuan, Bradford, Court, Curry, DelGrosso, Ferrandino, Fischer, Gardner B., Gerou, Kagan, Kerr A., Kerr J., King S., Labuda, Lambert, Liston, Miklosi, Nikkel, Pace, Primavera, Rice, Riesberg, Roberts, Stephens, Vaad, Vigil, Kefalas, Pommer, Tyler, Gagliardi, Levy, McCann; also SENATOR(S) Shaffer B. and King K., Cadman, Carroll M., Foster, Hodge, Johnston, Keller, Kester, Kopp, Lundberg, Newell, Penry, Renfroe, Romer, Scheffel, Schultheis, Spence, Steadman, White, Whitehead, Williams, Boyd, Heath, Hudak, Mitchell, Sandoval, Schwartz, Tapia.

CONCERNING REQUIRING STATEWIDE AGREEMENTS FOR THE TRANSFER OF TWO-YEAR DEGREES AMONG ALL STATE INSTITUTIONS OF HIGHER EDUCATION IN COLORADO.

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

SECTION 1. 23-1-108 (7), Colorado Revised Statutes, is amended to read:

23-1-108. Duties and powers of the commission with regard to

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

systemwide planning. (7) (a) The commission shall establish, after consultation with the governing boards of institutions, and enforce ~~student~~ STATEWIDE DEGREE transfer agreements between two-year and four-year STATE institutions OF HIGHER EDUCATION and among four-year STATE institutions OF HIGHER EDUCATION. Governing boards and STATE institutions OF HIGHER EDUCATION shall ~~conform to such~~ IMPLEMENT THE STATEWIDE DEGREE TRANSFER agreements and ~~to~~ THE commission policies relating to ~~such~~ THE STATEWIDE DEGREE TRANSFER agreements. ~~Such~~ THE STATEWIDE DEGREE transfer agreements shall include provisions under which STATE institutions OF HIGHER EDUCATION shall accept all credit hours of acceptable course work for automatic transfer ~~to~~ FROM AN ASSOCIATE OF ARTS OR ASSOCIATE OF SCIENCE DEGREE PROGRAM IN another ~~state-supported~~ STATE institution of higher education in Colorado. The commission shall have final authority in resolving transfer disputes.

(b) (I) A STUDENT WHO COMPLETES AN ASSOCIATE OF ARTS OR ASSOCIATE OF SCIENCE DEGREE THAT IS THE SUBJECT OF A STATEWIDE DEGREE TRANSFER AGREEMENT AND WHO TRANSFERS FROM THE STATE INSTITUTION OF HIGHER EDUCATION THAT AWARDED THE DEGREE TO A FOUR-YEAR STATE INSTITUTION OF HIGHER EDUCATION SHALL, IF ADMITTED, BE ENROLLED WITH JUNIOR STATUS. SUCCESSFUL COMPLETION OF AN ASSOCIATE OF ARTS OR ASSOCIATE OF SCIENCE DEGREE DOES NOT GUARANTEE THE DEGREE HOLDER ADMISSION TO A FOUR-YEAR STATE INSTITUTION OF HIGHER EDUCATION.

(II) A STATE INSTITUTION OF HIGHER EDUCATION THAT ADMITS AS A JUNIOR A STUDENT WHO HOLDS AN ASSOCIATE OF ARTS DEGREE OR ASSOCIATE OF SCIENCE DEGREE THAT IS THE SUBJECT OF A STATEWIDE DEGREE TRANSFER AGREEMENT MAY NOT REQUIRE THE STUDENT TO COMPLETE ANY ADDITIONAL CREDIT HOURS OF LOWER-DIVISION GENERAL EDUCATION COURSES; EXCEPT THAT THE INSTITUTION MAY REQUIRE THE STUDENT TO COMPLETE ADDITIONAL LOWER-DIVISION GENERAL EDUCATION COURSES IF NECESSARY FOR PREPARATION IN THE DEGREE PROGRAM IN WHICH THE STUDENT ENROLLS SO LONG AS THE ADDITIONAL COURSES ARE CONSISTENT WITH PUBLISHED DEGREE PROGRAM REQUIREMENTS FOR NATIVE STUDENTS AND DO NOT EXTEND THE TIME TO DEGREE COMPLETION BEYOND THAT REQUIRED FOR NATIVE STUDENTS IN THE SAME DEGREE PROGRAM.

(c) (I) BEGINNING JULY 1, 2010, THE COMMISSION, IN COLLABORATION WITH THE GOVERNING BOARDS AND THE COUNCIL

CONVENED PURSUANT TO SECTION 23-1-108.5 (3) (a), SHALL NEGOTIATE STATEWIDE DEGREE TRANSFER AGREEMENTS AND SHALL ENSURE THAT THERE ARE AT LEAST FOUR STATEWIDE DEGREE TRANSFER AGREEMENTS IN PLACE NO LATER THAN JULY 1, 2012, AND THAT, BY NO LATER THAN JULY 1, 2016, THERE ARE A TOTAL OF AT LEAST FOURTEEN STATEWIDE DEGREE TRANSFER AGREEMENTS.

(II) THE GOVERNING BOARDS SHALL RECOMMEND TO THE COMMISSION THE DEGREE PROGRAMS THAT WOULD BE MOST APPROPRIATE FOR STATEWIDE DEGREE TRANSFER AGREEMENTS BASED ON STUDENT DEMAND AND THE WORKFORCE NEEDS OF THE STATE.

(d) THE EXISTENCE OF STATEWIDE DEGREE TRANSFER AGREEMENTS DOES NOT PRECLUDE OR RESTRICT A STATE INSTITUTION OF HIGHER EDUCATION FROM AWARDED NONTRANSFER ASSOCIATE OF ARTS OR ASSOCIATE OF SCIENCE DEGREES, APPLIED ASSOCIATE DEGREES, OR GENERAL LIBERAL ARTS ASSOCIATE OF ARTS OR ASSOCIATE OF SCIENCE DEGREES.

(e) NOTHING IN THIS SUBSECTION (7) SHALL BE CONSTRUED TO:

(I) PREVENT OR OTHERWISE INTERFERE WITH THE ABILITY OF A STATE INSTITUTION OF HIGHER EDUCATION TO FULFILL ITS STATUTORY ROLE AND MISSION;

(II) PROHIBIT ONE OR MORE STATE INSTITUTIONS OF HIGHER EDUCATION FROM ENTERING INTO MEMORANDA OF UNDERSTANDING FOR THE TRANSFER OF DEGREES AMONG THE AGREEING INSTITUTIONS;

(III) IMPAIR ANY MEMORANDA OF UNDERSTANDING BETWEEN OR AMONG INSTITUTIONS OF HIGHER EDUCATION IN EFFECT PRIOR TO THE EFFECTIVE DATE OF THIS SUBPARAGRAPH (III); OR

(IV) REQUIRE THE TRANSFER OF COURSE CREDITS EARNED DURING OR APPLICABLE TO A STUDENT'S JUNIOR OR SENIOR YEAR.

~~(b)~~ (f) On or before October 1, 1993, the commission shall establish and enforce student transfer agreements between degree programs offered on the same campus or within the same institutional system. Governing boards and STATE institutions OF HIGHER EDUCATION shall conform to such IMPLEMENT THE agreements and to commission policies relating to such THE

agreements. In accordance with the provisions of section 23-5-122, ~~such~~ THE agreements shall provide that:

(I) If, not more than ten years prior to transferring into an undergraduate degree program, a student earns credit hours ~~which~~ THAT are required for graduation from ~~such~~ THE undergraduate degree program, ~~such~~ THE credit hours shall apply to the completion of ~~such~~ THE student's graduation requirements from ~~such~~ THE undergraduate degree program following ~~such~~ THE transfer;

(II) A student who transfers into an undergraduate degree program shall not be required to complete a greater number of credit hours in those courses ~~which~~ THAT are required for graduation from ~~such~~ THE undergraduate degree program than are required of students who began in ~~such~~ THE undergraduate degree program, nor shall there be any minimum number of credit hours required post-transfer other than the normal degree requirements for nontransferring students; and

(III) The grade point average ~~which~~ THAT is required for a student to apply for and be fully considered for transfer into an undergraduate degree program shall be no higher than that which is required for graduation from ~~such~~ THE undergraduate degree program.

(g) AS USED IN THIS SUBSECTION (7), UNLESS THE CONTEXT OTHERWISE REQUIRES:

(I) "NATIVE STUDENT" MEANS A STUDENT WHO BEGINS AND COMPLETES AN UNDERGRADUATE DEGREE PROGRAM AT A SINGLE STATE INSTITUTION OF HIGHER EDUCATION.

(II) "STATE INSTITUTION OF HIGHER EDUCATION" MEANS A PUBLIC POSTSECONDARY INSTITUTION THAT IS GOVERNED BY:

(A) THE BOARD OF GOVERNORS OF THE COLORADO STATE UNIVERSITY SYSTEM;

(B) THE BOARD OF REGENTS OF THE UNIVERSITY OF COLORADO;

(C) THE BOARD OF TRUSTEES OF THE COLORADO SCHOOL OF MINES;

(D) THE BOARD OF TRUSTEES OF THE UNIVERSITY OF NORTHERN COLORADO;

(E) THE BOARD OF TRUSTEES OF ADAMS STATE COLLEGE;

(F) THE BOARD OF TRUSTEES OF WESTERN STATE COLLEGE OF COLORADO;

(G) THE BOARD OF TRUSTEES OF MESA STATE COLLEGE;

(H) THE BOARD OF TRUSTEES FOR FORT LEWIS COLLEGE;

(I) THE BOARD OF TRUSTEES FOR METROPOLITAN STATE COLLEGE OF DENVER;

(J) THE STATE BOARD FOR COMMUNITY COLLEGES AND OCCUPATIONAL EDUCATION; OR

(K) THE BOARD OF TRUSTEES OF A JUNIOR COLLEGE DISTRICT ORGANIZED PURSUANT TO ARTICLE 71 OF THIS TITLE.

(III) "STATEWIDE DEGREE TRANSFER AGREEMENT" MEANS AN AGREEMENT AMONG ALL OF THE STATE INSTITUTIONS OF HIGHER EDUCATION FOR THE TRANSFER OF AN ASSOCIATE OF ARTS OR AN ASSOCIATE OF SCIENCE DEGREE. A STATEWIDE DEGREE TRANSFER AGREEMENT APPLIES TO COMMON DEGREE PROGRAMS AND SPECIFIES THE COMMON TERMS, CONDITIONS, AND EXPECTATIONS FOR STUDENTS ENROLLED IN STATEWIDE DEGREE TRANSFER PROGRAMS.

SECTION 2. 23-1-113 (1) (c), Colorado Revised Statutes, is amended to read:

23-1-113. Commission directive - admission standards for baccalaureate and graduate institutions of higher education.

(1) (c) The standards established for transfer students shall use college academic performance indicators as the eligibility criteria for admitted transfer students. In lieu of such criteria, additional criteria may be used for up to twenty percent of the admitted transfer students. The academic admission standards and policies established for transfer students shall be consistent with the student transfer agreements established by the

commission pursuant to section ~~23-1-108 (7)~~ 23-1-108 (7) (f). Students who meet the minimum criteria for admission shall not be guaranteed admission to the institution to which they have applied, but they shall be eligible for consideration.

SECTION 3. Act subject to petition - effective date. This act shall take 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 11, 2010, if adjournment sine die is on May 12, 2010); 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 shall not take effect unless

approved by the people at the general election to be held in November 2010 and shall take effect on the date of the official declaration of the vote thereon by the governor.

Terrance D. Carroll
SPEAKER OF THE HOUSE
OF REPRESENTATIVES

Brandon C. Shaffer
PRESIDENT OF
THE SENATE

Marilyn Eddins
CHIEF CLERK OF THE HOUSE
OF REPRESENTATIVES

Karen Goldman
SECRETARY OF
THE SENATE

APPROVED _____

Bill Ritter, Jr.
GOVERNOR OF THE STATE OF COLORADO