

**Second Regular Session
Sixty-seventh General Assembly
STATE OF COLORADO**

PREAMENDED

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

LLS NO. 10-0697.01 Julie Pelegrin

SENATE BILL 10-108

SENATE SPONSORSHIP

King K., Bacon, Scheffel, Schultheis, Spence, Steadman

HOUSE SPONSORSHIP

Middleton, Massey, Summers, Gardner B., King S., McNulty, Murray

Senate Committees

Education
Appropriations

House Committees

A BILL FOR AN ACT

101 **CONCERNING IMPLEMENTATION OF GENERAL EDUCATION CORE**
102 **COURSES AT INSTITUTIONS OF HIGHER EDUCATION, AND MAKING**
103 **AN APPROPRIATION THEREFOR.**

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>.)

Current law requires the Colorado commission on higher education (commission) to define a process whereby students enrolled in public institutions of higher education may test out of core courses and receive credit for those courses without paying tuition. The bill requires the

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.*

commission to put this process in place for use beginning in the 2010-11 academic year.

The bill allows a nonpublic institution of higher education (nonpublic institution) to choose to participate in the core course guidelines. Also, for a fee, a nonpublic institution may request the department of higher education (department) to review the nonpublic institution's core courses and include them in the matrix of core courses for which credit may transfer from one institution of higher education to another. A nonpublic institution that includes its courses in the matrix will also be included in the statewide transfer agreements for core course credits. The commission will set the amount of the fee to reflect the department's costs in reviewing the courses.

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

2 **SECTION 1.** 23-1-125 (4), Colorado Revised Statutes, is
3 amended, and the said 23-1-125 is further amended BY THE ADDITION
4 OF A NEW SUBSECTION, to read:

5 **23-1-125. Commission directive - student bill of rights - degree**
6 **requirements - implementation of core courses - competency test.**

7 (4) **Competency testing.** ON OR BEFORE JULY 1, 2010, the commission
8 shall, in consultation with each public institution of higher education,
9 define a process for students to test out of core courses, including
10 specifying use of a national test or the criteria for approving
11 institutionally devised tests. BEGINNING IN THE 2010-11 ACADEMIC YEAR,
12 EACH PUBLIC INSTITUTION OF HIGHER EDUCATION SHALL GRANT FULL
13 COURSE CREDITS TO students ~~shall be granted credit~~ for the core courses
14 they successfully test out of, free of tuition for those courses.

15 (5) **Nonpublic institutions of higher education.** (a) A
16 NONPUBLIC INSTITUTION OF HIGHER EDUCATION ____ MAY CHOOSE TO
17 CONFORM ITS CORE COURSES TO THE GUIDELINES DEVELOPED BY THE
18 DEPARTMENT PURSUANT TO SUBSECTION (3) OF THIS SECTION. IN
19 ADDITION, UPON REQUEST OF A NONPUBLIC INSTITUTION OF HIGHER

1 EDUCATION AND PAYMENT OF A FEE, THE DEPARTMENT SHALL REVIEW THE
2 CORE COURSES THAT THE NONPUBLIC INSTITUTION IDENTIFIES AS MEETING
3 THE GENERAL EDUCATION COURSE GUIDELINES AND INCLUDE THEM IN THE
4 MATRIX DEVELOPED PURSUANT TO SUBSECTION (3) OF THIS SECTION. A
5 NONPUBLIC INSTITUTION OF HIGHER EDUCATION THAT CONFORMS ITS CORE
6 COURSES TO THE GUIDELINES AS PROVIDED IN THIS SUBSECTION (5) AND
7 WHOSE COURSES ARE INCLUDED IN THE MATRIX SHALL BE INCLUDED IN
8 THE STATEWIDE AGREEMENTS FOR TRANSFERABILITY OF CORE COURSE
9 CREDITS.

10 (b) THE COMMISSION, IN CONSULTATION WITH THE DEPARTMENT,
11 SHALL ESTABLISH THE AMOUNT OF THE FEE FOR REVIEW OF A NONPUBLIC
12 INSTITUTION OF HIGHER EDUCATION'S COURSES, WHICH AMOUNT SHALL
13 NOT EXCEED THE DIRECT AND INDIRECT COSTS INCURRED BY THE
14 DEPARTMENT IN REVIEWING THE NONPUBLIC INSTITUTION'S CORE COURSES
15 AND INCLUDING THEM IN THE MATRIX. THE DEPARTMENT IS AUTHORIZED
16 TO COLLECT THE FEE FROM NONPUBLIC INSTITUTIONS OF HIGHER
17 EDUCATION AS PROVIDED IN PARAGRAPH (a) OF THIS SUBSECTION (5).

18 (c) AS USED IN THIS SUBSECTION (5), "NONPUBLIC INSTITUTION OF
19 HIGHER EDUCATION" MEANS AN EDUCATIONAL INSTITUTION OPERATING IN
20 THIS STATE THAT:

21 (I) DOES NOT RECEIVE STATE GENERAL FUND MONEYS IN SUPPORT
22 OF ITS OPERATING COSTS;

23 (II) ADMITS AS REGULAR STUDENTS ONLY PERSONS HAVING A HIGH
24 SCHOOL DIPLOMA OR THE RECOGNIZED EQUIVALENT OF A HIGH SCHOOL
25 DIPLOMA;

26 (III) IS ACCREDITED BY A REGIONAL ACCREDITING AGENCY OR
27 ASSOCIATION;

1 (IV) PROVIDES AN EDUCATIONAL PROGRAM FOR WHICH IT AWARDS
2 A BACHELOR'S DEGREE OR A GRADUATE DEGREE;

3 (V) IS AUTHORIZED BY THE DEPARTMENT OF HIGHER EDUCATION
4 TO DO BUSINESS IN COLORADO PURSUANT TO SECTION 23-2-103.3;

5 (VI) MAINTAINS A PHYSICAL CAMPUS OR INSTRUCTIONAL FACILITY
6 IN COLORADO; AND

7 (VII) HAS BEEN DETERMINED BY THE UNITED STATES
8 DEPARTMENT OF EDUCATION TO BE ELIGIBLE TO ADMINISTER FEDERAL
9 FINANCIAL AID PROGRAMS PURSUANT TO TITLE IV OF THE FEDERAL
10 "HIGHER EDUCATION ACT OF 1965", AS AMENDED.

11 **SECTION 2. Appropriation.** In addition to any other
12 appropriation, there is hereby appropriated, out of any fees collected from
13 nonpublic institutions pursuant to Section 23-1-125 (5), Colorado Revised
14 Statutes, not otherwise appropriated, to the department of higher
15 education, for allocation to the Colorado commission on higher
16 education, administration, for the fiscal year beginning July 1, 2010, the
17 sum of thirty-six thousand eight hundred twenty dollars (\$36,820) cash
18 fun ds and 0.4 FTE, or so much thereof as may be necessary, for
19 reviewing core courses for inclusion in the matrix developed pursuant to
20 Section 23-1-125 (3), Colorado Revised Statutes.

21 **SECTION 3. Safety clause.** The general assembly hereby finds,
22 determines, and declares that this act is necessary for the immediate
23 preservation of the public peace, health, and safety.