

Second Regular Session
Sixty-ninth General Assembly
STATE OF COLORADO

REVISED

*This Version Includes All Amendments Adopted
on Second Reading in the Second House*

LLS NO. 14-0092.01 Brita Darling x2241

SENATE BILL 14-004

SENATE SPONSORSHIP

Todd, Grantham, Jahn, Marble, Newell

HOUSE SPONSORSHIP

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A BILL FOR AN ACT

101 **CONCERNING THE ROLE AND MISSION OF COMMUNITY COLLEGES.**

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 allows the state board for community colleges and occupational education (state board) to seek approval from the Colorado commission on higher education (CCHE) for technical, career, and workforce development bachelor of applied science degree programs that may be offered at community colleges within the state system. Among other things, the state board must show workforce and student demand for the degree program and cost-effectiveness to the student and the system.

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
2nd Reading Unamended
February 14, 2014

SENATE
3rd Reading Unamended
January 29, 2014

SENATE
2nd Reading Unamended
January 28, 2014

The CCHE may approve bachelor of applied science degree programs that meet criteria established in the bill. Among other factors, the CCHE shall consider whether the bachelor of applied science degree program proposed by the state board is sufficiently distinguishable from an existing degree program at a state 4-year institution of higher education in the community college's geographic service area or whether the degree program could be delivered in the community college's service area through a statewide transfer agreement with a state 4-year institution of higher education. The state board may then authorize the establishment of an approved bachelor of applied science degree program at a community college within the state system.

Additionally, CCHE may approve technical, career, and workforce development bachelor of applied science degree programs at Aims community college after considering the same factors as those that apply to the approval of bachelor of applied science degree programs at other community colleges. Among other things, Aims community college must demonstrate workforce and student demand for the degree program and cost-effectiveness to the student and to Aims community college. The bill expands the role and mission of Aims community college to permit the bachelor of applied science degree programs.

Finally, the bill expands the role and mission of Western state Colorado university to allow the university to provide basic skills courses directly in Chaffee and Gunnison counties and to receive resident credit for those basic skills courses.

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

2 **SECTION 1. Legislative declaration.** (1) The general assembly
3 hereby finds and declares that:

4 (a) It is a priority in Colorado to afford the citizens in rural and
5 urban areas of the state greater access to higher education;

6 (b) Four-year bachelor of applied science degrees are of
7 increasing importance in enabling individuals to qualify for and obtain
8 jobs;

9 (c) Offering bachelor of applied science degrees in high-demand
10 fields in the regions of the state is important to meeting the local
11 economic development needs and is critical to reducing the educational

1 attainment gap between urban and rural areas;

2 (d) Offering bachelor of applied science degrees at community
3 colleges will:

4 (I) Provide an opportunity for underserved and first generation
5 students to continue their educational pathway in a familiar community
6 college setting, thus making it more likely these students will persist and
7 complete their degrees;

8 (II) Further the goal of closing the educational attainment gap
9 between the majority and minority populations, as more than half of all
10 minority students attend community colleges;

11 (III) Further the Colorado commission on higher education's
12 master plan goal to increase the attainment of high-quality post-secondary
13 credentials across all academic disciplines and throughout Colorado by
14 at least 1,000 new certificates and degrees each year in order to meet the
15 anticipated workforce demands and to enhance access to, and through,
16 post-secondary education to ensure that the system reflects the changing
17 demographics of the state; and

18 (IV) Provide affordable access to a four-year degree at a time
19 when the general assembly is concerned about tuition increases and
20 student debt levels.

21 (2) It is therefore in the best interests of the state of Colorado,
22 with certain limitations, to allow community colleges within the state
23 system to offer four-year bachelor of applied science degrees.

24 **SECTION 2.** In Colorado Revised Statutes, **amend** 23-60-201 as
25 follows:

26 **23-60-201. State system of community and technical colleges**
27 **established - local district colleges - role and mission.** There is hereby

1 established a state system of community and technical colleges which
2 shall be under the management and jurisdiction of the state board for
3 community colleges and occupational education. The mission of the
4 community colleges shall be to serve Colorado residents who reside in
5 their service areas by offering a broad range of general, personal,
6 ~~vocational~~ CAREER, and technical education programs. EXCEPT AS
7 PROVIDED IN SECTION 23-60-211, each college shall be a two-year college.
8 Each community college may offer two-year degree programs with or
9 without academic designation, AND, UPON APPROVAL OF THE BOARD
10 PURSUANT TO SECTION 23-60-211, MAY OFFER TECHNICAL, CAREER, AND
11 WORKFORCE DEVELOPMENT BACHELOR OF APPLIED SCIENCE DEGREE
12 PROGRAMS. No college shall impose admission requirements upon any
13 student. The objects of the community and technical colleges shall be to
14 provide educational programs to fill the occupational needs of youth and
15 adults in CAREER AND technical and ~~vocational~~ fields, two-year transfer
16 educational programs to qualify students for admission to the junior year
17 at other colleges and universities, basic skills, workforce development,
18 and a broad range of personal and ~~vocational~~ CAREER education for
19 adults, AND TECHNICAL, CAREER, AND WORKFORCE DEVELOPMENT
20 BACHELOR OF APPLIED SCIENCE DEGREE PROGRAMS ESTABLISHED
21 PURSUANT TO SECTION 23-60-211, THAT ADDRESS THE NEEDS OF THE
22 COMMUNITY WITHIN EACH COMMUNITY COLLEGE SERVICE AREA.

23 **SECTION 3.** In Colorado Revised Statutes, 23-60-211, **add** (4)
24 as follows:

25 **23-60-211. Degrees.** (4) NOTWITHSTANDING THE PROVISIONS OF
26 SECTION 23-5-129 (6) (b), SUBJECT TO THE APPROVAL OF THE COLORADO
27 COMMISSION ON HIGHER EDUCATION PURSUANT TO SECTION 23-1-133, THE

1 BOARD MAY ESTABLISH AT COMMUNITY COLLEGES WITHIN THE STATE
2 SYSTEM TECHNICAL, CAREER, AND WORKFORCE DEVELOPMENT BACHELOR
3 OF APPLIED SCIENCE DEGREE PROGRAMS. NOTHING IN THIS SECTION SHALL
4 BE CONSTRUED TO ALLOW FOR THE APPROVAL OF BACHELOR OF ARTS OR
5 BACHELOR OF SCIENCE DEGREE PROGRAMS.

6 **SECTION 4.** In Colorado Revised Statutes, **add** 23-1-133 as
7 follows:

8 **23-1-133. Commission directive - bachelor of applied science**
9 **degree programs - community colleges - approval.** (1) (a) THE STATE
10 BOARD FOR COMMUNITY COLLEGES AND OCCUPATIONAL EDUCATION,
11 REFERRED TO IN THIS SECTION AS THE "STATE BOARD", SHALL SUBMIT TO
12 THE COMMISSION FOR ITS APPROVAL TECHNICAL, CAREER, AND
13 WORKFORCE DEVELOPMENT BACHELOR OF APPLIED SCIENCE DEGREE
14 PROGRAMS TO BE OFFERED AT ONE OR MORE COMMUNITY COLLEGES
15 WITHIN THE STATE SYSTEM. THE COMMISSION SHALL CONSIDER THE
16 FOLLOWING CRITERIA IN DETERMINING WHETHER TO APPROVE A
17 BACHELOR OF APPLIED SCIENCE DEGREE PROGRAM:

18 (I) WHETHER THE STATE BOARD PROVIDES DATA DEMONSTRATING
19 WORKFORCE AND STUDENT DEMAND FOR THE DEGREE PROGRAM;

20 (II) THE REGIONAL AND PROFESSIONAL ACCREDITATION
21 REQUIREMENTS FOR THE DEGREE PROGRAM, IF APPLICABLE, AND WHETHER
22 THE COLLEGE CAN SATISFY THOSE REQUIREMENTS, AS APPROPRIATE, AT
23 BOTH THE INSTITUTIONAL AND PROGRAM LEVELS;

24 (III) WHETHER THE STATE BOARD CAN DEMONSTRATE THAT
25 PROVIDING THE DEGREE PROGRAM WITHIN THE COMMUNITY COLLEGE
26 SYSTEM IS COST-EFFECTIVE FOR THE STUDENT AND THE COMMUNITY
27 COLLEGE SYSTEM;

1 (IV) WHETHER THE STATE BOARD CAN DEMONSTRATE THAT THE
2 DEGREE PROGRAM IS SUFFICIENTLY DISTINGUISHABLE FROM:

3 (A) AN EXISTING DEGREE PROGRAM AT A STATE FOUR-YEAR
4 INSTITUTION OF HIGHER EDUCATION THAT IS PROVIDED TO A STUDENT WHO
5 RESIDES IN THE COMMUNITY COLLEGE'S GEOGRAPHIC SERVICE AREA, AS
6 DEFINED BY THE COMMISSION PURSUANT TO SECTION 23-1-109 (2),
7 WITHOUT THE STUDENT HAVING TO CHANGE HIS OR HER RESIDENCE; OR

8 (B) A DEGREE PROGRAM THAT HAS BEEN SUCCESSFULLY OFFERED
9 PREVIOUSLY IN CONJUNCTION WITH A STATE FOUR-YEAR INSTITUTION OF
10 HIGHER EDUCATION, WHICH DEGREE PROGRAM WILL BE REINSTATED
11 SOONER THAN THE DEGREE PROGRAM COULD BE OFFERED BY THE
12 COMMUNITY COLLEGE; AND

13 (V) WHETHER THE BACHELOR OF APPLIED SCIENCE DEGREE
14 PROGRAM COULD BE PROVIDED THROUGH A STATEWIDE TRANSFER
15 AGREEMENT PURSUANT TO SECTION 23-1-108 (7) WITH AN ACCREDITED
16 STATE FOUR-YEAR INSTITUTION IN THE COMMUNITY COLLEGE'S
17 GEOGRAPHIC SERVICE AREA OR WITH AN ACCREDITED STATE FOUR-YEAR
18 INSTITUTION OF HIGHER EDUCATION THAT HAS A STATEWIDE SERVICE
19 AREA, AS DEFINED BY THE COMMISSION PURSUANT TO SECTION 23-1-109
20 (2), THAT WILL DELIVER AN EXISTING BACHELOR OF APPLIED SCIENCE
21 PROGRAM IN THE COMMUNITY COLLEGE'S GEOGRAPHIC SERVICE AREA
22 SOONER THAN THE DEGREE PROGRAM COULD BE OFFERED BY THE
23 COMMUNITY COLLEGE.

24 (b) IN ADDITION, IN DETERMINING WHETHER TO APPROVE A
25 BACHELOR OF APPLIED SCIENCE DEGREE PROGRAM, THE COMMISSION:

26 (I) SHALL CONSIDER WHETHER THE STATE BOARD HAS MET THE
27 CRITERIA SET FORTH IN SUBPARAGRAPHS (I) TO (IV) OF PARAGRAPH (a) OF

1 THIS SUBSECTION (1) AND WHETHER THE PROPOSED BACHELOR OF APPLIED
2 SCIENCE DEGREE PROGRAM IS IN THE BEST INTERESTS OF THE STATE OF
3 COLORADO;

4 (II) SHALL CONSULT WITH THE STATE BOARD AND STATE
5 FOUR-YEAR INSTITUTIONS OF HIGHER EDUCATION CONCERNING WHETHER
6 THE COLLABORATION DESCRIBED IN SUBPARAGRAPH (V) OF PARAGRAPH
7 (a) OF THIS SUBSECTION (1) IS FEASIBLE; AND

8 (III) MAY CONSULT WITH ANY STATE FOUR-YEAR INSTITUTION OF
9 HIGHER EDUCATION THAT SHARES THE SAME GEOGRAPHIC SERVICE AREA,
10 AS DEFINED BY THE COMMISSION PURSUANT TO SECTION 23-1-109 (2),
11 CONCERNING THE PROPOSED DEGREE PROGRAM TO INFORM THE
12 COMMISSION OF ANY ANTICIPATED SYSTEMWIDE EFFECTS OF THE NEW
13 DEGREE PROGRAM.

14 (2) (a) IN DETERMINING WHETHER TO APPROVE A BACHELOR OF
15 APPLIED SCIENCE DEGREE PROGRAM FOR AIMS COMMUNITY COLLEGE
16 PURSUANT TO SECTION 23-71-102, THE COMMISSION SHALL CONSIDER THE
17 FOLLOWING CRITERIA:

18 (I) WHETHER AIMS COMMUNITY COLLEGE PROVIDES DATA
19 DEMONSTRATING WORKFORCE AND STUDENT DEMAND FOR THE DEGREE
20 PROGRAM;

21 (II) THE REGIONAL AND PROFESSIONAL ACCREDITATION
22 REQUIREMENTS FOR THE DEGREE PROGRAM, IF APPLICABLE, AND WHETHER
23 THE COLLEGE CAN SATISFY THOSE REQUIREMENTS, AS APPROPRIATE, AT
24 BOTH THE INSTITUTIONAL AND PROGRAM LEVELS;

25 (III) WHETHER AIMS COMMUNITY COLLEGE CAN DEMONSTRATE
26 THAT PROVIDING THE DEGREE PROGRAM WITHIN ITS SERVICE AREA IS
27 COST-EFFECTIVE FOR THE STUDENT AND AIMS COMMUNITY COLLEGE;

1 (IV) WHETHER AIMS COMMUNITY COLLEGE CAN DEMONSTRATE
2 THAT THE DEGREE PROGRAM IS SUFFICIENTLY DISTINGUISHABLE FROM:

3 (A) AN EXISTING DEGREE PROGRAM AT A STATE FOUR-YEAR
4 INSTITUTION OF HIGHER EDUCATION THAT IS PROVIDED TO A STUDENT WHO
5 RESIDES IN AIMS COMMUNITY COLLEGE'S GEOGRAPHIC SERVICE AREA, AS
6 DEFINED BY THE COMMISSION PURSUANT TO SECTION 23-1-109 (2),
7 WITHOUT THE STUDENT HAVING TO CHANGE HIS OR HER RESIDENCE; OR

8 (B) A DEGREE PROGRAM THAT HAS BEEN SUCCESSFULLY OFFERED
9 PREVIOUSLY IN CONJUNCTION WITH A STATE FOUR-YEAR INSTITUTION OF
10 HIGHER EDUCATION, WHICH DEGREE PROGRAM WILL BE REINSTATED
11 SOONER THAN THE DEGREE PROGRAM COULD BE OFFERED BY THE
12 COMMUNITY COLLEGE; AND

13 (V) WHETHER THE BACHELOR OF APPLIED SCIENCE DEGREE
14 PROGRAM COULD BE PROVIDED THROUGH A STATEWIDE TRANSFER
15 AGREEMENT PURSUANT TO SECTION 23-1-108 (7) WITH AN ACCREDITED
16 STATE FOUR-YEAR INSTITUTION IN AIMS COMMUNITY COLLEGE'S
17 GEOGRAPHIC SERVICE AREA OR WITH AN ACCREDITED STATE FOUR-YEAR
18 INSTITUTION OF HIGHER EDUCATION THAT HAS A STATEWIDE SERVICE
19 AREA, AS DEFINED BY THE COMMISSION PURSUANT TO SECTION 23-1-109
20 (2), THAT WILL DELIVER AN EXISTING BACHELOR OF APPLIED SCIENCE
21 PROGRAM IN AIMS COMMUNITY COLLEGE'S GEOGRAPHIC SERVICE AREA
22 SOONER THAN THE DEGREE PROGRAM COULD BE OFFERED BY AIMS
23 COMMUNITY COLLEGE.

24 (b) IN ADDITION, IN DETERMINING WHETHER TO APPROVE A
25 BACHELOR OF APPLIED SCIENCE DEGREE PROGRAM, THE COMMISSION:

26 (I) SHALL CONSIDER WHETHER AIMS COMMUNITY COLLEGE HAS
27 MET THE CRITERIA SET FORTH IN SUBPARAGRAPHS (I) TO (IV) OF

1 PARAGRAPH (a) OF THIS SUBSECTION (2) AND WHETHER THE PROPOSED
2 BACHELOR OF APPLIED SCIENCE DEGREE PROGRAM IS IN THE BEST
3 INTERESTS OF THE STATE OF COLORADO;

4 (II) SHALL CONSULT WITH AIMS COMMUNITY COLLEGE AND STATE
5 FOUR-YEAR INSTITUTIONS OF HIGHER EDUCATION CONCERNING WHETHER
6 THE COLLABORATION DESCRIBED IN SUBPARAGRAPH (V) OF PARAGRAPH
7 (a) OF THIS SUBSECTION (2) IS FEASIBLE; AND

8 (III) MAY CONSULT WITH ANY STATE FOUR-YEAR INSTITUTION OF
9 HIGHER EDUCATION THAT SHARES THE SAME GEOGRAPHIC SERVICE AREA,
10 AS DEFINED BY THE COMMISSION PURSUANT TO SECTION 23-1-109 (2),
11 CONCERNING THE PROPOSED DEGREE PROGRAM TO INFORM THE
12 COMMISSION OF ANY ANTICIPATED SYSTEMWIDE EFFECTS OF THE NEW
13 DEGREE PROGRAM.

14 **SECTION 5.** In Colorado Revised Statutes, 23-1-108, **amend** (7)
15 (a) and (7) (b) as follows:

16 **23-1-108. Duties and powers of the commission with regard to**
17 **systemwide planning.** (7) (a) The commission shall establish, after
18 consultation with the governing boards of institutions, and enforce
19 statewide degree transfer agreements between two-year and four-year
20 state institutions of higher education and among four-year state
21 institutions of higher education. Governing boards and state institutions
22 of higher education shall implement the statewide degree transfer
23 agreements and the commission policies relating to the statewide degree
24 transfer agreements. The statewide degree transfer agreements shall
25 include provisions under which state institutions of higher education shall
26 accept all credit hours of acceptable course work for automatic transfer
27 from an associate of arts, ASSOCIATE OF APPLIED SCIENCE, or associate of

1 science degree program in another state institution of higher education in
2 Colorado. The commission shall have final authority in resolving transfer
3 disputes.

4 (b) (I) A student who completes an associate of arts, ASSOCIATE
5 OF APPLIED SCIENCE, or associate of science degree that is the subject of
6 a statewide degree transfer agreement and who transfers from the state
7 institution of higher education that awarded the degree to a four-year state
8 institution of higher education shall, if admitted, be enrolled with junior
9 status. Successful completion of an associate of arts, ASSOCIATE OF
10 APPLIED SCIENCE, or associate of science degree does not guarantee the
11 degree holder admission to a four-year state institution of higher
12 education.

13 (II) A state institution of higher education that admits as a junior
14 a student who holds an associate of arts degree, ASSOCIATE OF APPLIED
15 SCIENCE DEGREE, or associate of science degree that is the subject of a
16 statewide degree transfer agreement may not require the student to
17 complete any additional credit hours of lower-division general education
18 courses; except that the institution may require the student to complete
19 additional lower-division general education courses if necessary for
20 preparation in the degree program in which the student enrolls so long as
21 the additional courses are consistent with published degree program
22 requirements for native students and do not extend the time to degree
23 completion beyond that required for native students in the same degree
24 program. ALL CREDIT HOURS OF ACCEPTABLE COURSE WORK COMPLETED
25 BY A STUDENT WHO HOLDS AN ASSOCIATE OF APPLIED SCIENCE DEGREE
26 THAT IS THE SUBJECT OF A STATEWIDE DEGREE TRANSFER AGREEMENT
27 AND WHO TRANSFERS FROM THE STATE INSTITUTION OF HIGHER

1 EDUCATION THAT AWARDED THE ASSOCIATE DEGREE TO A STATE
2 FOUR-YEAR INSTITUTION OF HIGHER EDUCATION SHALL BE APPLICABLE
3 ONLY TO A BACHELOR OF APPLIED SCIENCE DEGREE PROGRAM, EXCEPT FOR
4 COURSES THAT ARE SUBJECT TO TRANSFER PURSUANT TO OTHER TRANSFER
5 AGREEMENTS.

6 **SECTION 6.** In Colorado Revised Statutes, 23-1-113.3, **amend**
7 (2) (a) and (3) introductory portion as follows:

8 **23-1-113.3. Commission directive - basic skills courses.**

9 (2) (a) Adams state university, Colorado Mesa university, WESTERN
10 STATE COLORADO UNIVERSITY IN CHAFFEE AND GUNNISON COUNTIES, any
11 local community college, and any community college governed by the
12 state board for community colleges and occupational education may offer
13 basic skills courses, as defined in section 23-1-113 (11) (b), and receive
14 stipend payments from the state on behalf of eligible undergraduate
15 students, as defined in section 23-18-102 (5), enrolled in basic skills
16 courses.

17 (3) The state board for community colleges and occupational
18 education, local community colleges, Adams state university, ~~and~~
19 Colorado Mesa university, AND WESTERN STATE COLORADO UNIVERSITY
20 shall:

21 **SECTION 7.** In Colorado Revised Statutes, **amend** 23-56-101 as
22 follows:

23 **23-56-101. University established - role and mission.** There is
24 hereby established a university at Gunnison, which shall be known as
25 Western state Colorado university. Western state Colorado university
26 shall be a general baccalaureate institution with moderately selective
27 admission standards. Western state Colorado university shall offer

1 undergraduate liberal arts and sciences, teacher preparation, and business
2 degree programs, BASIC SKILLS COURSES RECEIVING RESIDENT CREDIT
3 PURSUANT TO SECTION 23-1-113.3, and a limited number of graduate
4 programs. Western state Colorado university shall also serve as a regional
5 education provider.

6 **SECTION 8.** In Colorado Revised Statutes, **amend** 23-71-102 as
7 follows:

8 **23-71-102. Definitions.** As used in this article, unless the context
9 otherwise requires:

10 (1) (a) "Junior college" means an educational institution that
11 provides not more than two years of training in the arts, sciences, and
12 humanities beyond the twelfth grade of the public high school curriculum
13 or vocational education and that conducts occupational, technical, and
14 community service programs, with no term limitations, and general
15 education, including college transfer programs, with unrestricted
16 admissions. ~~except that~~

17 (b) NOTWITHSTANDING THE PROVISIONS OF PARAGRAPH (a) OF
18 THIS SUBSECTION (1):

19 (I) Colorado mountain college, in addition to its mission as a
20 junior college, may also offer no more than five baccalaureate degree
21 programs as its board of trustees determines appropriate to address the
22 needs of the communities within its service area and that are approved by
23 the Colorado commission on higher education.

24 (II) AIMS COMMUNITY COLLEGE, IN ADDITION TO ITS MISSION AS
25 A JUNIOR COLLEGE, MAY ALSO OFFER BACHELOR OF APPLIED SCIENCE
26 DEGREE PROGRAMS AS ITS BOARD OF TRUSTEES DETERMINES APPROPRIATE
27 TO ADDRESS THE NEEDS OF THE COMMUNITIES WITHIN ITS SERVICE AREA

1 THAT ARE APPROVED BY THE COLORADO COMMISSION OF HIGHER
2 PURSUANT TO THE CRITERIA SET FORTH IN SECTION 23-1-133 (2).

3 **SECTION 9. Act subject to petition - effective date.** This act
4 takes effect at 12:01 a.m. on the day following the expiration of the
5 ninety-day period after final adjournment of the general assembly (August
6 6, 2014, if adjournment sine die is on May 7, 2014); except that, if a
7 referendum petition is filed pursuant to section 1 (3) of article V of the
8 state constitution against this act or an item, section, or part of this act
9 within such period, then the act, item, section, or part will not take effect
10 unless approved by the people at the general election to be held in
11 November 2014 and, in such case, will take effect on the date of the
12 official declaration of the vote thereon by the governor.