Second Regular Session
Sixty-ninth General Assembly
STATE OF COLORADO

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BILL 5

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LLS NO. 14-0156.01 Julie Pelegrin x2700 **INTERIM COMMITTEE BILL**

Economic Opportunity Poverty Reduction Task Force

SHORT TITLE: "Adult Education And Literacy Programs"

A BILL FOR AN ACT

101 CONCERNING ADULT EDUCATION, AND, IN CONNECTION THEREWITH,
102 CREATING THE ADULT EDUCATION AND LITERACY GRANT
103 PROGRAM TO PROVIDE STATE MONEYS FOR ADULT EDUCATION
104 PROGRAMS THAT PARTICIPATE IN WORKFORCE DEVELOPMENT
105 PARTNERSHIPS.

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.)

Economic Opportunity Poverty Reduction Task Force. The bill

Capital letters indicate new material to be added to existing statute.
Dashes through the words indicate deletions from existing statute.

creates the "Adult Education and Literacy Act of 2014". Under this new act, the office within the department of education that is responsible for adult education (office) will administer the adult education and literacy grant program to provide state moneys to adult education and literacy programs that provide basic literacy and numeracy skills programs and that are members of workforce development partnerships that provide additional education to enable students to achieve a postsecondary credential and employment.

A local education provider, which includes public education providers, postsecondary institutions, and local, nonprofit workforce development providers, may apply for a grant by submitting an application to the office. At a minimum, the application must demonstrate that the local education provider is a member of a workforce development partnership that provides training leading to employment opportunities for students after they attain basic skills. The application must also specify the measurable goals that the local education provider expects to achieve with the grant moneys. The state board of education (state board) will adopt rules to establish the requirements for the grant program.

The office will review each application and recommend grant recipients to the state board. Based on the office's recommendations, the state board will award grants. The office must annually evaluate the effectiveness of the programs that receive grants and prepare a report concerning the grant program for the governor, the state board, and the general assembly. The report must include an analysis of student outcomes and of the continuing unmet need for adult education in the state.

The office must periodically convene meetings of representatives from the state agencies and institutions and community-based programs that are involved with adult education and workforce development. The meetings are intended to increase communication and collaboration among these entities.

The bill creates the adult education and literacy grant fund, to consist of any gifts, grants, or donations the department of education may receive for adult education and literacy and any state moneys the general assembly may appropriate to the fund. The department is authorized to use a percentage of the moneys appropriated from the fund to offset the costs of administering the grants, evaluating the grant recipients and preparing the report, and convening the adult education and workforce development agencies and programs. The department is not required to implement any portion of the bill if the general assembly does not appropriate sufficient state moneys to offset the implementation costs.

The bill repeals the family literacy education grant program, effective July 1, 2014.

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

2 **SECTION 1.** In Colorado Revised Statutes, **recreate and**
3 **reenact, with amendments,** article 10 of title 22 as follows:

4 **ARTICLE 10**

5 **Adult Education and Literacy**

6 **22-10-101. Short title.** THIS ARTICLE SHALL BE KNOWN AND MAY
7 BE CITED AS THE "ADULT EDUCATION AND LITERACY ACT OF 2014".

8 **22-10-102. Legislative declaration.** (1) THE GENERAL ASSEMBLY
9 FINDS THAT:

10 (a) INCREASED EDUCATIONAL ATTAINMENT IS A PROVEN PATHWAY
11 OUT OF POVERTY. IN GENERAL, RESEARCH SHOWS THAT AVERAGE ANNUAL
12 EARNINGS INCREASE AND UNEMPLOYMENT RATES DECREASE WITH EACH
13 SUCCESSIVE LEVEL OF EDUCATION OR TRAINING THAT A PERSON ACHIEVES.

14 (b) POSTSECONDARY EDUCATION AND CREDENTIAL ATTAINMENT
15 IS INCREASINGLY CENTRAL TO A PERSON'S ABILITY TO EARN
16 FAMILY-SUSTAINING WAGES, PARTICIPATE MORE FULLY IN COLORADO'S
17 TWENTY-FIRST CENTURY WORKFORCE, AND CONTRIBUTE TO THE STATE'S
18 ECONOMIC HEALTH AND VITALITY;

19 (c) BOTH NATIONALLY AND IN COLORADO, PROJECTIONS INDICATE
20 THAT BY 2025, TWO-THIRDS OF ALL JOBS WILL REQUIRE SOME LEVEL OF
21 POSTSECONDARY EDUCATION OR TECHNICAL SKILL TRAINING;

22 (d) COLORADO HAS A SUBSTANTIAL "MIDDLE-SKILL GAP" IN ITS
23 WORKFORCE. MIDDLE-SKILL JOBS REQUIRE SOME POSTSECONDARY
24 EDUCATION OR TRAINING BUT LESS THAN A FOUR-YEAR DEGREE. THESE
25 POSITIONS MAKE UP APPROXIMATELY FORTY-SEVEN PERCENT OF THE
26 STATE'S JOBS, BUT ONLY THIRTY-SIX PERCENT OF COLORADO WORKERS
27 HAVE THE TRAINING NECESSARY TO FILL THEM.

1 (e) BEFORE COLORADO CAN MEET ITS WORKFORCE, EDUCATIONAL
2 ATTAINMENT, AND POVERTY-REDUCTION GOALS, THE STATE MUST
3 ADDRESS THE NEED FOR ADULT EDUCATION. A SIGNIFICANT PERCENTAGE
4 OF THE STATE'S WORKING-AGE POPULATION LACKS A HIGH SCHOOL
5 DIPLOMA OR ITS EQUIVALENT. MANY OF THESE INDIVIDUALS DO NOT HAVE
6 BASIC LITERACY OR NUMERACY SKILLS AND ARE UNPREPARED FOR
7 PARTICIPATION IN POSTSECONDARY EDUCATION AND FOR PARTICIPATION
8 IN THE TWENTY-FIRST CENTURY WORKFORCE.
9 (f) EFFECTIVELY ADDRESSING THE NEED FOR ADULT EDUCATION
10 REQUIRES THE APPROPRIATION OF STATE MONEYS TO FUND ADULT
11 EDUCATION AND LITERACY PROGRAMS THAT PARTICIPATE IN WORKFORCE
12 DEVELOPMENT PARTNERSHIPS. ALTHOUGH THERE ARE SEVERAL
13 POSTSECONDARY PROGRAMS THAT FOCUS ON WORKFORCE DEVELOPMENT
14 AND SKILLS ACQUISITION, THESE PROGRAMS TYPICALLY ASSUME THAT
15 PARTICIPANTS ARE OR HAVE BEEN IN THE WORKFORCE IN SOME CAPACITY
16 AND HAVE ALREADY ATTAINED A BASE LEVEL OF LITERACY AND
17 NUMERACY. ADULT EDUCATION AND LITERACY PROGRAMS, HOWEVER,
18 ARE TYPICALLY DESIGNED FOR ADULTS WHO HAVE BEEN UNABLE TO ENTER
19 THE WORKFORCE IN A MEANINGFUL CAPACITY DUE TO A LACK OF BASIC
20 LITERACY AND NUMERACY SKILLS.
21 (g) IN RETURN FOR STATE INVESTMENT IN ADULT EDUCATION AND
22 LITERACY PROGRAMS, THESE PROGRAMS MUST REFOCUS THEIR MISSION TO
23 ENSURE THAT MORE LOW-SKILLED, LOW-INCOME ADULTS NOT ONLY
24 ATTAIN THE BASIC LITERACY AND NUMERACY SKILLS THAT THEY LACK,
25 BUT THAT THEY MOVE AS QUICKLY AS POSSIBLE FROM SKILL ACQUISITION
26 TO POSTSECONDARY CREDENTIAL ATTAINMENT TO EMPLOYMENT; AND
27 (h) SUCCESSFULLY REFOCUSING THE MISSION OF ADULT

1 EDUCATION AND LITERACY PROGRAMS REQUIRES THE ACTIVE
2 COLLABORATION AND COORDINATION OF A VARIETY OF STATE AGENCIES
3 AND ORGANIZATIONS THAT ARE INVOLVED IN ADULT EDUCATION AND
4 LITERACY, POSTSECONDARY EDUCATION, TRAINING AND CREDENTIAL
5 ATTAINMENT, WORKFORCE DEVELOPMENT, ECONOMIC DEVELOPMENT, AND
6 HUMAN SERVICES.
7 (2) THE GENERAL ASSEMBLY FINDS, THEREFORE, THAT IT IS IN THE
8 BEST INTERESTS OF THE STATE TO ESTABLISH AN ADULT EDUCATION AND
9 LITERACY GRANT PROGRAM TO PROVIDE STATE FUNDING FOR PUBLIC AND
10 PRIVATE NONPROFIT ADULT EDUCATION AND LITERACY PROGRAMS.
11 INVESTING IN THESE PROGRAMS WILL ENABLE THEM TO SERVE A LARGER
12 SHARE OF THE STATE'S ELIGIBLE ADULT POPULATION AND ENSURE THAT
13 MORE ADULTS CAN REACH AND COMPLETE THE NEXT LEVEL OF EDUCATION
14 AND TRAINING, THEREBY LEADING TO BETTER EMPLOYMENT OUTCOMES
15 THAT ENABLE MORE LOW-INCOME, LOW-LITERACY ADULTS TO
16 ULTIMATELY ACHIEVE ECONOMIC SELF-SUFFICIENCY.
17 **22-10-103. Definitions.** AS USED IN THIS ARTICLE, UNLESS THE
18 CONTEXT OTHERWISE REQUIRES:
19 (1) "ADULT EDUCATION AND LITERACY PROGRAMS" MEANS
20 PROGRAMS THAT PROVIDE ADULT BASIC EDUCATION, ADULT EDUCATION
21 LEADING TO A HIGH SCHOOL EQUIVALENCY CREDENTIAL, ENGLISH AS A
22 SECOND LANGUAGE INSTRUCTION, OR INTEGRATED BASIC EDUCATION AND
23 SKILLS TRAINING.
24 (2) "DEPARTMENT" MEANS THE DEPARTMENT OF EDUCATION
25 CREATED AND EXISTING PURSUANT TO SECTION 24-1-115, C.R.S.
26 (3) "ELIGIBLE ADULT" MEANS A PERSON WHO:
27 (a) IS AT LEAST SEVENTEEN YEARS OF AGE;

1 (b) IS NOT ENROLLED IN A PUBLIC OR PRIVATE SECONDARY
2 SCHOOL; AND
3 (c) (I) LACKS A HIGH SCHOOL DIPLOMA OR ITS EQUIVALENT; OR
4 (II) IS IN NEED OF ENGLISH LANGUAGE INSTRUCTION; OR
5 (III) LACKS SUFFICIENT MASTERY OF THE BASIC LITERACY AND
6 NUMERACY SKILLS NECESSARY TO ENABLE THE PERSON TO FUNCTION
7 EFFECTIVELY IN THE WORKPLACE.
8 (4) "ENGLISH LANGUAGE INSTRUCTION" MEANS INSTRUCTION THAT
9 IS DESIGNED TO ASSIST A PERSON WITH LIMITED ENGLISH PROFICIENCY TO
10 ACHIEVE COMPETENCE IN THE ENGLISH LANGUAGE, THUS ALLOWING THE
11 PERSON TO UNDERSTAND AND NAVIGATE GOVERNMENTAL, EDUCATIONAL,
12 AND WORKPLACE SYSTEMS.
13 (5) "GRANT PROGRAM" MEANS THE ADULT EDUCATION AND
14 LITERACY GRANT PROGRAM CREATED IN SECTION 22-10-104.
15 (6) "LITERACY" MEANS A PERSON'S ABILITY TO READ, WRITE, AND
16 SPEAK ENGLISH AT LEVELS OF PROFICIENCY THAT ARE NECESSARY TO
17 FUNCTION ON THE JOB AND IN SOCIETY, ACHIEVE THE PERSON'S GOALS,
18 AND DEVELOP THE PERSON'S KNOWLEDGE AND POTENTIAL.
19 (7) "LOCAL EDUCATION PROVIDER" MEANS ONE OF THE FOLLOWING
20 ENTITIES THAT THE DEPARTMENT RECOGNIZES AS PROVIDING APPROPRIATE
21 AND EFFECTIVE ADULT EDUCATION AND LITERACY PROGRAMS:
22 (a) A SECONDARY OR POSTSECONDARY, PUBLIC OR PRIVATE,
23 NONPROFIT EDUCATIONAL ENTITY, INCLUDING BUT NOT LIMITED TO A
24 SCHOOL DISTRICT, CHARTER SCHOOL, BOARD OF COOPERATIVE SERVICES,
25 STATE INSTITUTION OF HIGHER EDUCATION, JUNIOR COLLEGE, AND AREA
26 VOCATIONAL SCHOOL;
27 (b) A COMMUNITY-BASED, NONPROFIT AGENCY OR ORGANIZATION;

1 (c) A LIBRARY;

2 (d) A LITERACY COUNCIL OR OTHER LITERACY INSTITUTE;

3 (e) A BUSINESS OR BUSINESS ASSOCIATION THAT PROVIDES ADULT
4 EDUCATION AND LITERACY PROGRAMS EITHER ON-SITE OR OFF-SITE;

5 (f) A VOLUNTEER LITERACY ORGANIZATION;

6 (g) A WORK FORCE BOARD, AS DEFINED IN SECTION 8-83-203,
7 C.R.S., THAT OVERSEES A WORK FORCE INVESTMENT PROGRAM DESCRIBED
8 IN THE "COLORADO WORK FORCE INVESTMENT ACT", PART 2 OF ARTICLE
9 83 OF TITLE 8, C.R.S.;

10 (h) A ONE-STOP PARTNER, AS DESCRIBED IN SECTION 8-83-216,
11 C.R.S., UNDER THE "COLORADO WORK FORCE INVESTMENT ACT", PART
12 2 OF ARTICLE 83 OF TITLE 8, C.R.S.; OR

13 (i) A CONSORTIA OF ENTITIES DESCRIBED IN THIS SUBSECTION (7).

14 (8) "NUMERACY" MEANS A PERSON'S ABILITY TO COMPUTE AND
15 SOLVE MATHEMATICAL PROBLEMS AT LEVELS OF PROFICIENCY THAT ARE
16 NECESSARY TO FUNCTION ON THE JOB AND IN SOCIETY, ACHIEVE THE
17 PERSON'S GOALS, AND DEVELOP THE PERSON'S KNOWLEDGE AND
18 POTENTIAL.

19 (9) "OFFICE" MEANS THE OFFICE WITHIN THE DEPARTMENT THAT
20 IS RESPONSIBLE FOR ADULT EDUCATION.

21 (10) "STATE BOARD" MEANS THE STATE BOARD OF EDUCATION
22 CREATED IN SECTION 1 OF ARTICLE IX OF THE STATE CONSTITUTION.

23 (11) (a) "WORKFORCE DEVELOPMENT PARTNERSHIP" MEANS A
24 COLLABORATION THAT ASSISTS ADULTS IN ATTAINING BASIC LITERACY
25 AND NUMERACY SKILLS LEADING TO ADDITIONAL SKILL ACQUISITION,
26 POSTSECONDARY CREDENTIALS, AND EMPLOYMENT. AT A MINIMUM, A
27 WORKFORCE DEVELOPMENT PARTNERSHIP MUST INCLUDE AT LEAST ONE

1 LOCAL EDUCATION PROVIDER, AT LEAST ONE POSTSECONDARY EDUCATION
2 OR TRAINING PROVIDER, AND AT LEAST ONE WORKFORCE DEVELOPMENT
3 PROVIDER.
4 (b) FOR PURPOSES OF THIS SUBSECTION (11), A POSTSECONDARY
5 EDUCATION OR TRAINING PROVIDER INCLUDES, BUT NEED NOT BE LIMITED
6 TO:
7 (I) A STATE INSTITUTION OF HIGHER EDUCATION, JUNIOR COLLEGE,
8 OR AREA VOCATIONAL SCHOOL;
9 (II) AN APPRENTICESHIP PROGRAM;
10 (III) AN ENTITY THAT PROVIDES ACCELERATED EDUCATION AND
11 SKILLS TRAINING CERTIFICATE PROGRAMS CREATED PURSUANT TO PART 9
12 OF ARTICLE 60 OF TITLE 23,C.R.S.;
13 (IV) AN ENTITY THAT OPERATES PROGRAMS THROUGH THE
14 MANUFACTURING CAREER PATHWAY ESTABLISHED BY THE STATE BOARD
15 FOR COMMUNITY COLLEGES AND OCCUPATIONAL EDUCATION AS PROVIDED
16 IN PART 10 OF ARTICLE 60 OF TITLE 23, C.R.S.; AND
17 (V) A COMMUNITY-BASED WORKFORCE DEVELOPMENT PROGRAM
18 THAT IS OPERATED THROUGH THE COLORADO CUSTOMIZED TRAINING
19 PROGRAM CREATED IN SECTION 23-60-306, C.R.S.
20 (c) FOR PURPOSES OF THIS SUBSECTION (11), A WORKFORCE
21 DEVELOPMENT PROVIDER INCLUDES, BUT NEED NOT BE LIMITED TO:
22 (I) A WORK FORCE INVESTMENT PROGRAM DESCRIBED IN THE
23 "COLORADO WORK FORCE INVESTMENT ACT", PART 2 OF ARTICLE 83 OF
24 TITLE 8, C.R.S.; AND
25 (II) A PROGRAM THAT IS SUPPORTED BY THE STATE WORK FORCE
26 DEVELOPMENT COUNCIL CREATED IN ARTICLE 46.3 OF TITLE 24, C.R.S.
27 **22-10-104. Adult education and literacy grant program -**

1 **created - rules.** (1) (a) THERE IS CREATED IN THE OFFICE THE ADULT
2 EDUCATION AND LITERACY GRANT PROGRAM TO PROVIDE FUNDING FOR
3 LOCAL EDUCATION PROVIDERS THAT ARE MEMBERS OF WORKFORCE
4 DEVELOPMENT PARTNERSHIPS THROUGH WHICH ELIGIBLE ADULTS RECEIVE
5 BASIC EDUCATION IN LITERACY AND NUMERACY THAT LEADS TO
6 ADDITIONAL SKILLS ACQUISITION, POSTSECONDARY CREDENTIAL
7 ATTAINMENT, AND EMPLOYMENT.
8 (b) A LOCAL EDUCATION PROVIDER MAY APPLY TO THE OFFICE TO
9 RECEIVE A GRANT PURSUANT TO THIS ARTICLE IN ACCORDANCE WITH THE
10 RULES, PROCEDURES, FORMS, AND TIMELINES ADOPTED BY THE STATE
11 BOARD. THE OFFICE SHALL REVIEW EACH APPLICATION AND RECOMMEND
12 APPROPRIATE GRANT RECIPIENTS TO THE STATE BOARD.
13 (c) SUBJECT TO AVAILABLE APPROPRIATIONS, THE STATE BOARD,
14 TAKING INTO CONSIDERATION THE RECOMMENDATIONS OF THE OFFICE,
15 SHALL AWARD ADULT EDUCATION AND LITERACY GRANTS TO LOCAL
16 EDUCATION PROVIDERS. THE GRANTS AWARDED ARE PAYABLE FROM THE
17 ADULT EDUCATION AND LITERACY GRANT FUND CREATED IN SECTION
18 22-10-107. THE STATE BOARD SHALL ESTABLISH THE AMOUNT AND
19 DURATION OF EACH GRANT AWARDED AND MAY AWARD A GRANT FOR
20 MULTIPLE FISCAL YEARS, SUBJECT TO ANNUAL RENEWAL. A GRANT
21 RECIPIENT THAT RECEIVES A MULTI-YEAR GRANT MUST ANNUALLY SUBMIT
22 TO THE OFFICE THE NECESSARY INFORMATION TO DETERMINE WHETHER
23 THE GRANT RECIPIENT IS MAKING SUFFICIENT PROGRESS TOWARD
24 ACHIEVING THE GOALS OF THE ADULT EDUCATION AND LITERACY
25 PROGRAM THAT WERE SPECIFIED IN THE GRANT APPLICATION. IF THE
26 OFFICE FINDS THAT A GRANT RECIPIENT IS NOT MAKING SUFFICIENT
27 PROGRESS TOWARD ACHIEVING THE GOALS, THE STATE BOARD SHALL NOT

1 RENEW THE GRANT FOR SUBSEQUENT FISCAL YEARS.

2 (d) A LOCAL EDUCATION PROVIDER MAY USE GRANT MONEYS
3 RECEIVED PURSUANT TO THIS ARTICLE IN COMBINATION WITH ANY
4 MONEYS RECEIVED FROM OTHER PUBLIC OR PRIVATE SOURCES. A LOCAL
5 EDUCATION PROVIDER MAY USE GRANT MONEYS RECEIVED PURSUANT TO
6 THIS ARTICLE ON BEHALF OF A STUDENT WHO IS ENROLLED IN OR HAS
7 COMPLETED THE ADULT EDUCATION AND LITERACY PROGRAM AND IS
8 RECEIVING TRAINING FROM A POSTSECONDARY EDUCATION OR TRAINING
9 PROVIDER OR FROM A WORKFORCE DEVELOPMENT PROVIDER THAT
10 PARTICIPATES IN THE WORKFORCE DEVELOPMENT PARTNERSHIP WITH THE
11 LOCAL EDUCATION PROVIDER.

12 (2) THE STATE BOARD, IN ACCORDANCE WITH THE "STATE
13 ADMINISTRATIVE PROCEDURE ACT", ARTICLE 4 OF TITLE 24, C.R.S.,
14 SHALL PROMULGATE RULES TO IMPLEMENT THE GRANT PROGRAM, WHICH
15 RULES MUST INCLUDE:

16 (a) THE TIME FRAMES FOR SUBMITTING APPLICATIONS, REVIEWING
17 APPLICATIONS, AND AWARDING GRANTS;

18 (b) THE GRANT APPLICATION REQUIREMENTS. AT A MINIMUM:

19 (I) EACH APPLICANT MUST DEMONSTRATE THAT IT IS AN ACTIVE
20 MEMBER OF A WORKFORCE DEVELOPMENT PARTNERSHIP THROUGH WHICH
21 STUDENTS RECEIVE BASIC EDUCATION IN LITERACY AND NUMERACY THAT
22 LEADS TO ADDITIONAL SKILLS ACQUISITION, POSTSECONDARY CREDENTIAL
23 ATTAINMENT, AND EMPLOYMENT; AND

24 (II) EACH APPLICATION MUST SPECIFY THE MEASURABLE GOALS OF
25 THE ADULT EDUCATION AND LITERACY PROGRAM THAT THE APPLYING
26 LOCAL EDUCATION PROVIDER EXPECTS TO ACHIEVE USING THE GRANT
27 MONEYS;

1 (c) ANY FACTORS IN ADDITION TO THOSE LISTED IN SUBSECTION (3)
2 OF THIS SECTION THAT THE OFFICE MAY CONSIDER IN RECOMMENDING
3 GRANT RECIPIENTS TO THE STATE BOARD AND THAT THE STATE BOARD
4 MAY CONSIDER IN AWARDING GRANTS;
5 (d) THE BASIS FOR ESTABLISHING THE AMOUNT AND DURATION OF
6 EACH GRANT;
7 (e) THE INFORMATION THAT EACH GRANT RECIPIENT MUST SUBMIT
8 TO THE OFFICE TO EVALUATE THE RECIPIENT'S USE OF THE GRANT AND TO
9 PREPARE THE REPORT REQUIRED IN SECTION 22-10-105; AND
10 (f) ANY ADDITIONAL RULES THAT THE STATE BOARD FINDS ARE
11 NECESSARY TO IMPLEMENT THE GRANT PROGRAM.
12 (3) THE OFFICE, IN EVALUATING GRANT APPLICATIONS, AND THE
13 STATE BOARD, IN AWARDING GRANTS, MAY CONSIDER, AT A MINIMUM, THE
14 FOLLOWING FACTORS:
15 (a) THE PERCENTAGE OF ELIGIBLE ADULTS EXPECTED TO BE
16 ENROLLED IN THE ADULT EDUCATION AND LITERACY PROGRAMS FUNDED
17 BY THE GRANT WHO ARE MEMBERS OF MINORITY GROUPS;
18 (b) THE PERCENTAGE OF ELIGIBLE ADULTS IN THE AREA TO BE
19 SERVED USING GRANT MONEYS WHO DO NOT HAVE HIGH SCHOOL
20 DIPLOMAS OR THE EQUIVALENT AND WHO ARE NOT CURRENTLY ENROLLED
21 IN ADULT EDUCATION AND LITERACY PROGRAMS;
22 (c) (I) THE PERCENTAGE OF ELIGIBLE ADULTS EXPECTED TO BE
23 ENROLLED IN THE ADULT EDUCATION AND LITERACY PROGRAMS FUNDED
24 BY THE GRANT WHO ARE RECEIVING EITHER STATE OR FEDERAL PUBLIC
25 ASSISTANCE; OR
26 (II) THE PERCENTAGE OF ELIGIBLE ADULTS IN THE AREA TO BE
27 SERVED WHO ARE UNEMPLOYED WORKERS; AND

1 (d) THE DEMONSTRATED SUCCESS OF THE LOCAL EDUCATION
2 PROVIDER IN ENABLING ADULTS TO ATTAIN BASIC LITERACY AND
3 NUMERACY SKILLS AND IN ASSISTING THEM, THROUGH COLLABORATION
4 WITH POSTSECONDARY EDUCATION OR TRAINING PROVIDERS AND
5 WORKFORCE DEVELOPMENT PROVIDERS, TO ACHIEVE ADDITIONAL SKILLS
6 ATTAINMENT, POSTSECONDARY CREDENTIAL ATTAINMENT, AND
7 EMPLOYMENT.
8 **22-10-105. Evaluation of grants - report.** (1) (a) THE OFFICE
9 SHALL ANNUALLY REVIEW THE INFORMATION RECEIVED FROM ADULT
10 EDUCATION AND LITERACY GRANT RECIPIENTS TO EVALUATE THE
11 EFFECTIVENESS OF THE PROGRAMS THAT RECEIVE GRANTS IN MEETING THE
12 GOALS SET FOR THE PROGRAMS IN THE GRANT APPLICATIONS. THE OFFICE
13 SHALL REPORT ITS CONCLUSIONS TO THE STATE BOARD FOR PURPOSES OF
14 EVALUATING ON-GOING GRANTS.
15 (b) THE DEPARTMENT MAY AUDIT THE RECORDS AND ACCOUNTS
16 OF GRANT RECIPIENTS RELATING TO GRANTS AWARDED PURSUANT TO THIS
17 ARTICLE. A LOCAL EDUCATION PROVIDER SHALL MAKE THE RECORDS AND
18 ACCOUNTS AVAILABLE TO THE DEPARTMENT UPON REQUEST.
19 (c) UPON COMPLETING AN ADULT EDUCATION AND LITERACY
20 PROGRAM FUNDED, IN WHOLE OR IN PART, BY A GRANT AWARDED
21 PURSUANT TO THIS ARTICLE, A LOCAL EDUCATION PROVIDER SHALL
22 REPORT TO THE DEPARTMENT THE SAME INFORMATION CONCERNING THE
23 STATE-FUNDED PROGRAM AS IS REQUIRED BY TITLE II OF THE FEDERAL
24 "WORK FORCE INVESTMENT ACT OF 1998", AS AMENDED, 20 U.S.C. SEC.
25 9201 ET SEQ., FOR FEDERALLY FUNDED PROGRAMS. THE DEPARTMENT MAY
26 REQUEST SUCH ADDITIONAL INFORMATION AS MAY BE REQUIRED BY RULE
27 OF THE STATE BOARD.

1 (2) (a) THE OFFICE SHALL PREPARE AN ANNUAL REPORT
2 CONCERNING THE GRANT PROGRAM THAT, AT A MINIMUM, ADDRESSES THE
3 USE, ALLOCATION, AND OUTCOMES OF THE GRANT MONEYS, INCLUDING
4 THE EFFECTIVENESS OF EACH PROGRAM THAT RECEIVES A GRANT, AND THE
5 CONTINUING LEVEL OF UNMET NEED FOR ADULT EDUCATION WITHIN THE
6 STATE. IN EVALUATING PROGRAM OUTCOMES, THE OFFICE MAY CONSIDER,
7 BUT NEED NOT BE LIMITED TO, STUDENT PARTICIPATION, COMPLETION,
8 EDUCATIONAL ATTAINMENT, EMPLOYMENT, AND POVERTY-REDUCTION
9 DATA AND ANALYSIS. THE REPORT MUST ALSO INCLUDE AN OVERVIEW OF
10 THE COLLABORATION EFFORTS OF THE OFFICE, THE DEPARTMENT OF
11 HIGHER EDUCATION, THE DEPARTMENT OF LABOR AND EMPLOYMENT, THE
12 COMMUNITY COLLEGE SYSTEM, OTHER LOCAL EDUCATION PROVIDERS,
13 OTHER POSTSECONDARY EDUCATION OR TRAINING PROVIDERS, AND OTHER
14 WORKFORCE DEVELOPMENT PROVIDERS IN MEETING THE STATE'S NEED FOR
15 ADULT EDUCATION AND LITERACY PROGRAMS AND WORKFORCE
16 DEVELOPMENT.
17 (b) THE OFFICE SHALL SUBMIT THE REPORT TO THE GOVERNOR'S
18 OFFICE; THE STATE BOARD; THE JOINT BUDGET COMMITTEE OF THE
19 GENERAL ASSEMBLY; THE EDUCATION COMMITTEES OF THE SENATE AND
20 THE HOUSE OF REPRESENTATIVES, OR ANY SUCCESSOR COMMITTEES; THE
21 BUSINESS, LABOR, AND TECHNOLOGY COMMITTEE OF THE SENATE, OR ANY
22 SUCCESSOR COMMITTEE; AND THE BUSINESS, LABOR, ECONOMIC, AND
23 WORKFORCE DEVELOPMENT COMMITTEE OF THE HOUSE OF
24 REPRESENTATIVES, OR ANY SUCCESSOR COMMITTEE. THE OFFICE SHALL
25 ALSO POST THE REPORT ON THE DEPARTMENT'S WEB SITE FOR PUBLIC
26 VIEWING.
27 **22-10-106. Adult education and literacy - workforce**

1 **development - meetings.** (1) THE OFFICE SHALL CONVENE PERIODIC
2 MEETINGS OF REPRESENTATIVES OF, AT A MINIMUM, THE DEPARTMENT OF
3 HIGHER EDUCATION, THE DEPARTMENT OF LABOR AND EMPLOYMENT, THE
4 COMMUNITY COLLEGE SYSTEM, OTHER LOCAL EDUCATION PROVIDERS,
5 OTHER POSTSECONDARY EDUCATION OR TRAINING PROVIDERS, AND OTHER
6 WORKFORCE DEVELOPMENT PROVIDERS TO DISCUSS, AT A MINIMUM:
7 (a) WAYS TO INCREASE THE COMMUNICATION AND
8 COLLABORATION AMONG ADULT EDUCATION AND LITERACY PROGRAMS,
9 POSTSECONDARY EDUCATION OR TRAINING PROGRAMS, AND WORKFORCE
10 DEVELOPMENT PROGRAMS WITHIN THE STATE; AND
11 (b) THE STATE'S WORKFORCE DEVELOPMENT NEEDS AND THE
12 LEVELS OF UNMET NEED FOR ADULT EDUCATION WITHIN THE STATE,
13 INCLUDING IDENTIFYING PARTICULAR AREAS OF THE STATE WITH
14 SIGNIFICANT UNMET ADULT EDUCATION NEEDS.
15 **22-10-107. Adult education and literacy grant fund - created.**
16 (1) (a) THERE IS HEREBY CREATED IN THE STATE TREASURY THE ADULT
17 EDUCATION AND LITERACY GRANT FUND, REFERRED TO IN THIS SECTION AS
18 THE "FUND", CONSISTING OF:
19 (I) ANY MONEYS RECEIVED BY THE DEPARTMENT PURSUANT TO
20 SUBSECTION (2) OF THIS SECTION;
21 (II) ANY MONEYS TRANSFERRED TO THE FUND PURSUANT TO
22 SECTION 22-2-124 (10), AS IT EXISTED BEFORE JULY 1, 2014; AND
23 (III) ANY MONEYS THAT THE GENERAL ASSEMBLY MAY
24 APPROPRIATE TO THE FUND.
25 (b) THE MONEYS IN THE FUND ARE SUBJECT TO ANNUAL
26 APPROPRIATION BY THE GENERAL ASSEMBLY TO THE DEPARTMENT FOR
27 THE DIRECT AND INDIRECT COSTS ASSOCIATED WITH IMPLEMENTING THIS

1 ARTICLE. THE DEPARTMENT MAY EXPEND UP TO SEVENTEEN PERCENT OF
2 THE MONEYS ANNUALLY APPROPRIATED FROM THE FUND TO OFFSET THE
3 COSTS INCURRED IN IMPLEMENTING THE GRANT PROGRAM, EVALUATING
4 THE GRANT RECIPIENTS AND OUTCOMES, PREPARING THE REPORT
5 REQUIRED IN SECTION 22-10-105, AND CONVENING AND COLLABORATING
6 WITH THE ENTITIES IDENTIFIED IN SECTION 22-10-106. NOTWITHSTANDING
7 ANY PROVISION OF THIS ARTICLE TO THE CONTRARY, THE DEPARTMENT,
8 THE OFFICE, AND THE STATE BOARD ARE NOT REQUIRED TO IMPLEMENT
9 THE PROVISIONS OF THIS ARTICLE UNLESS THE GENERAL ASSEMBLY
10 APPROPRIATES SUFFICIENT STATE MONEYS TO THE FUND TO OFFSET THE
11 COSTS OF IMPLEMENTING THE ARTICLE.
12 (c) THE STATE TREASURER MAY INVEST, AS PROVIDED BY LAW,
13 ANY MONEYS IN THE FUND NOT EXPENDED FOR THE PURPOSE OF THIS
14 ARTICLE. THE STATE TREASURER SHALL CREDIT ALL INTEREST AND
15 INCOME DERIVED FROM THE INVESTMENT AND DEPOSIT OF MONEYS IN THE
16 FUND TO THE FUND. ANY UNEXPENDED AND UNENCUMBERED MONEYS
17 REMAINING IN THE FUND AT THE END OF A FISCAL YEAR MUST REMAIN IN
18 THE FUND AND SHALL NOT BE CREDITED OR TRANSFERRED TO THE
19 GENERAL FUND OR ANOTHER FUND.
20 (2) THE DEPARTMENT MAY RECEIVE AND EXPEND GIFTS,
21 DONATIONS, OR GRANTS OF ANY KIND FROM ANY PUBLIC OR PRIVATE
22 ENTITY TO CARRY OUT THE PURPOSES OF THIS ARTICLE, SUBJECT TO THE
23 TERMS AND CONDITIONS UNDER WHICH GIVEN; EXCEPT THAT THE
24 DEPARTMENT SHALL NOT ACCEPT A GIFT, DONATION, OR GRANT IF THE
25 CONDITIONS ATTACHED TO THE GIFT, DONATION, OR GRANT REQUIRE THE
26 USE OR EXPENDITURE THE GIFT, DONATION, OR GRANT IN A MANNER
27 CONTRARY TO LAW. THE DEPARTMENT SHALL TRANSMIT TO THE STATE

1 TREASURER ANY GIFTS, DONATIONS, OR GRANTS RECEIVED PURSUANT TO
2 THIS SUBSECTION (2), AND THE STATE TREASURER SHALL CREDIT THESE
3 AMOUNTS TO THE FUND. IMPLEMENTATION OF THE GRANT PROGRAM IS
4 NOT CONDITIONED ON THE RECEIPT OF GIFTS, DONATIONS, OR GRANTS
5 PURSUANT TO THIS SUBSECTION (2).

6 **SECTION 2.** In Colorado Revised Statutes, 22-2-124, **add** (10)
7 as follows:

8 **22-2-124. Family literacy education grant program - rules -**
9 **repeal.** (10) THIS SECTION IS REPEALED, EFFECTIVE JULY 1, 2014.
10 NOTWITHSTANDING THE PROVISIONS OF PARAGRAPH (b) OF SUBSECTION
11 (8) OF THIS SECTION, ANY MONEYS REMAINING IN THE FAMILY LITERACY
12 EDUCATION FUND AS OF JULY 1, 2014, ARE TRANSFERRED ON THAT DATE
13 TO THE ADULT EDUCATION AND LITERACY GRANT FUND CREATED IN
14 SECTION 22-10-107.

15 <{***Does the committee prefer a safety clause or a 90-day conditional***
16 ***effectiveness clause?***}>