

**Colorado Commission on Higher Education  
Resolution to Pre-Approve Requests for Extensions of the HB19-1206 Implementation  
Deadline Due to Exceptional Circumstances**

**Approved December 3, 2020**

WHEREAS, on April 25, 2020, Governor Jared Polis signed into law [HB 19-1206](#) (Higher Education Supplemental Academic Instruction), which was designed to move institutions away from the use of pre-requisite remedial education courses and toward supplemental academic instruction (SAI) or other forms of co-requisite remediation proven to be more effective in ensuring students' success, and

WHEREAS, this act directed the Commission to adopt a developmental education policy that requires public institutions of higher education to maximize the likelihood of student success in gateway courses in math and English, which the Commission adopted on May 1, 2020, and

WHEREAS, the act requires that for institutions authorized to offer developmental education, beginning in the 2022-23 academic year, no more than 10 percent of enrolling students shall be placed into pre-requisite developmental education courses that delay their progress toward a degree, and

WHEREAS, for institutions authorized to offer developmental education, the act requires that by August 1, 2021, institutions shall have a plan in place to meet this requirement, and

WHEREAS, the CoVID-19 pandemic has caused immense disruption in higher education, requiring tremendous resources to pivot to remote instruction and implement preventative and mitigation measures to minimize the impact of the pandemic on operations, and

WHEREAS, the dramatic economic impact of the pandemic was exacerbated by declines in Fall 2020 enrollment, especially in community colleges, and

WHEREAS, the loss of funding from appropriations and tuition revenue has led institutions to scale back or pause investments required to meet the requirements of HB19-1206 by the beginning of the 2022-23 academic year, and

WHEREAS, HB19-1206 allows for institutions to request an extension of up to two years to meet the aforementioned statutory requirement "upon demonstrating exceptional circumstances," and

WHEREAS, the CoVID-19 pandemic clearly represents exceptional circumstances affecting the ability of institutions to meet the requirements of HB19-1206 by the start of the 2022-23 academic year,

BE IT RESOLVED that the Colorado Commission on Higher Education will grant upon request by any public institution authorized to offer developmental education, following processes developed and communicated by staff of the Department of Higher Education, an extension of one year (to the beginning of the 2023-24 academic year) to meet the requirements in §23-1-133.3 (1) (a) (I), Colorado Revised Statutes, and

BE IT FURTHER RESOLVED that the Commission delegates to the Executive Director of the Department or her designee authority to grant an extension of one year upon request by an institution.