

First Regular Session
Seventy-first General Assembly
STATE OF COLORADO

REVISED

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

LLS NO. 17-0457.02 Brita Darling x2241

SENATE BILL 17-068

SENATE SPONSORSHIP

Todd, Kerr, Merrifield

HOUSE SPONSORSHIP

Singer, Michaelson Jenet, Wilson

Senate Committees
Education

House Committees
Education

A BILL FOR AN ACT

101 CONCERNING EARLY SUPPORT FOR STUDENT SUCCESS THROUGH
102 ACCESS TO SCHOOL COUNSELORS, AND, IN CONNECTION
103 THEREWITH, SERVING ALL GRADES THROUGH THE BEHAVIORAL
104 HEALTH CARE PROFESSIONAL MATCHING GRANT PROGRAM AND
105 THE SCHOOL COUNSELOR CORPS GRANT PROGRAM.

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://leg.colorado.gov>.)

Under current law, a public school that includes any of grades 7 through 12 is eligible to receive a grant through the behavioral health care

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
March 31, 2017

SENATE
3rd Reading Unamended
February 24, 2017

SENATE
2nd Reading Unamended
February 23, 2017

professional matching grant program. **Sections 2 to 5** of the bill add elementary schools to the list of public schools eligible to receive a grant through the program.

Under current law, a public middle, junior, or high school is eligible to receive a grant through the school counselor corps grant program. **Sections 6 to 10** of the bill add elementary schools to the list of public schools eligible to receive a grant through the program.

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) Student behavioral health is important to creating successful
5 and safe schools;

6 (b) Support provided by school nurses, psychologists, social
7 workers, and counselors reduces the incidence of student bullying,
8 substance abuse, and suicide, and helps foster nurturing and safe
9 environments for learning; and

10 (c) The general assembly has previously created two successful
11 grant programs to increase the number of school nurses, psychologists,
12 social workers, and counselors in schools: The behavioral health care
13 professional matching grant program, created in article 96 of title 22; and
14 the school counselor corps grant program, created in article 91 of title 22.

15 (2) The general assembly recognizes the benefits that these
16 programs can offer to students throughout the public school system, from
17 kindergarten through high school graduation, and, therefore, declares that
18 it is appropriate to expand the eligibility for these programs to all public
19 schools.

20 **SECTION 2.** In Colorado Revised Statutes, 22-96-101, **amend**
21 (2) as follows:

22 **22-96-101. Legislative declaration.** (2) The general assembly

1 further finds and declares that a program to provide matching grants to
2 education providers to enhance the presence of school health
3 professionals in ~~secondary~~ schools throughout the state will facilitate
4 better screening, education, and referral care coordination for ~~secondary~~
5 ~~school~~ students with substance abuse and other behavioral health needs.

6 **SECTION 3.** In Colorado Revised Statutes, 22-96-102, **amend**
7 the introductory portion and (3); **repeal** (4); and **add** (2.5) as follows:

8 **22-96-102. Definitions.** As used in this ~~article~~ ARTICLE 96, unless
9 the context otherwise requires:

10 (2.5) "SCHOOL" MEANS A PUBLIC ELEMENTARY, MIDDLE, JUNIOR
11 HIGH, OR HIGH SCHOOL.

12 (3) "School health professional" means a state-licensed or
13 state-certified school nurse, PSYCHOLOGIST, SOCIAL WORKER, COUNSELOR,
14 or other state-licensed or state-certified health professional qualified
15 under state law to provide support services to children and adolescents.

16 (4) ~~"Secondary school" means a public school that includes any~~
17 ~~of grades seven through twelve.~~

18 **SECTION 4.** In Colorado Revised Statutes, 22-96-103, **amend**
19 (1) as follows:

20 **22-96-103. Behavioral health care professional matching grant**
21 **program - created - rules.** (1) (a) There is ~~hereby~~ created in the
22 department the behavioral health care professional matching grant
23 program, referred to in this ~~article~~ ARTICLE 96 as the "program", to
24 provide funding to education providers for the following purposes:

25 (I) To increase the presence of school health professionals in
26 ~~secondary~~ schools to provide substance abuse and behavioral health care
27 to students who ~~are enrolled in secondary schools and~~ have substance

1 abuse or other behavioral health needs;

2 (II) To provide training and resources for school staff on the
3 implementation of evidence-based programming on substance abuse
4 prevention education for all students; ~~who are enrolled in secondary~~
5 ~~schools~~; and

6 (III) To allow school health professionals to connect students ~~who~~
7 ~~are enrolled in secondary schools~~ with services that are provided by
8 community-based organizations for treatment and counseling for students
9 who are at risk for substance abuse.

10 (b) An education provider that receives a grant under the program
11 shall use the ~~moneys~~ MONEY to increase the level of funding the
12 education provider allocates to ~~secondary~~ school health professionals to
13 provide substance abuse and behavioral health care to students prior to
14 receiving the grant and not to replace other funding sources allocated to
15 provide school health professionals for students. ~~in secondary schools.~~
16 The department shall administer the program as provided in this ~~article~~
17 ARTICLE 96 and pursuant to rules adopted by the state board.

18 **SECTION 5.** In Colorado Revised Statutes, 22-96-104, **amend**
19 (2) introductory portion, (2)(a), (2)(b), (2)(c), (2)(d), and (3)(a) as
20 follows:

21 **22-96-104. Behavioral health care professional matching grant**
22 **program - application - criteria - grant awards.** (2) At a minimum,
23 each grant application ~~shall~~ MUST specify:

24 (a) The intended recipient ~~secondary~~ schools, the number of health
25 professionals employed by the education provider ~~in secondary schools~~
26 prior to receipt of a grant, and the ratio of students to school health
27 providers in the ~~secondary~~ schools operated by or receiving services from

1 the education provider;

2 (b) The education provider's plan for use of the grant ~~moneys~~
3 MONEY, including the extent to which the grant ~~moneys~~ MONEY will be
4 used to increase the number of school health professionals at recipient
5 ~~secondary~~ schools and to provide substance abuse and behavioral health
6 care services at recipient ~~secondary~~ schools, including screenings,
7 COUNSELING, referrals to community organizations, and training for
8 students and staff on substance abuse issues;

9 (c) The education provider's plan for involving leaders at the
10 recipient ~~secondary~~ schools and in the surrounding community and the
11 faculty at recipient ~~secondary~~ schools in increasing the capacity and
12 effectiveness of the substance abuse and behavioral health care services
13 provided to ~~secondary school~~ students enrolled in or receiving educational
14 services from the education provider;

15 (d) The extent to which the education provider has developed or
16 plans to develop community partnerships to serve substance abuse and
17 behavioral health care needs of all of the ~~secondary~~ students enrolled in
18 or receiving educational services from the education provider;

19 (3) In reviewing applications and making recommendations, the
20 department shall prioritize applications based on the following criteria
21 and any other criteria adopted by rule of the state board:

22 (a) The education provider's need for additional school health
23 professionals in ~~secondary~~ schools, demonstrated by the local school and
24 community data regarding marijuana and the number of marijuana
25 establishments located within the boundaries of a school district;

26 **SECTION 6.** In Colorado Revised Statutes, 22-91-101, **amend**
27 (1)(k) as follows:

1 **22-91-101. Legislative declaration.** (1) The general assembly
2 hereby finds that:

3 (k) Reducing the student-to-counselor ratio in Colorado's public
4 ~~secondary~~ schools is a positive move toward achieving the goals of
5 closing the achievement gap, decreasing the dropout rate, and increasing
6 the number of students who matriculate into postsecondary education
7 without the need for remediation.

8 **SECTION 7.** In Colorado Revised Statutes, 22-91-102, **amend**
9 the introductory portion and (5); **repeal** (7); and **add** (5.5) as follows:

10 **22-91-102. Definitions.** As used in this ~~article~~ ARTICLE 91, unless
11 the context otherwise requires:

12 (5) "Recipient ~~secondary~~ school" means a ~~secondary~~ school at
13 which an education provider will use ~~moneys~~ MONEY received from the
14 program to either increase the number of school counselors or otherwise
15 raise the level of school counseling provided.

16 (5.5) "SCHOOL" MEANS A PUBLIC ELEMENTARY, MIDDLE, JUNIOR
17 HIGH, OR HIGH SCHOOL.

18 (7) "~~Secondary school~~" means a ~~public middle, junior, or high~~
19 ~~school~~.

20 **SECTION 8.** In Colorado Revised Statutes, 22-91-103, **amend**
21 (1)(a) as follows:

22 **22-91-103. School counselor corps grant program - created -**
23 **rules.** (1) (a) There is ~~hereby~~ created in the department the school
24 counselor corps grant program to provide funding to education providers.
25 The goal of the program is to increase the availability of effective
26 school-based counseling ~~within secondary schools~~ to help increase the
27 graduation rate within the state and increase the percentage of students

1 who appropriately prepare for, apply to, and continue into postsecondary
2 education.

3 **SECTION 9.** In Colorado Revised Statutes, 22-91-104, **amend**
4 (2) introductory portion, (2)(a), (2)(c), (2)(d), (2)(e), (2)(f), (2)(g), (3)(a),
5 (3)(a.5), (3)(b), (3)(c), (3)(c.5), (4.5), and (8) as follows:

6 **22-91-104. School counselor corps grant program - application**
7 **- criteria - grant awards - rules.** (2) At a minimum, each grant
8 application ~~shall~~ MUST specify:

9 (a) The intended recipient ~~secondary~~ schools, the number of
10 ~~secondary~~ school counselors employed by the education provider prior to
11 receipt of a grant, and the ratio of students to school counselors in the
12 ~~secondary~~ schools operated by or receiving services from the education
13 provider;

14 (c) Whether the education provider has entered into, or has
15 committed to establishing, one or more partnerships with institutions of
16 higher education or postsecondary service providers in Colorado to
17 support and increase the capacity and effectiveness of the counseling and
18 postsecondary preparation services provided to ~~secondary school~~ students
19 enrolled in or receiving educational services from the education provider;

20 (d) The education provider's plan for use of the grant ~~moneys~~
21 MONEY, including the extent to which the grant ~~moneys~~ MONEY will be
22 used to increase the number of school counselors at recipient ~~secondary~~
23 schools and to provide professional development for school counselors
24 and professional development to enable other faculty members to provide
25 counseling and postsecondary preparation services at recipient ~~secondary~~
26 schools;

27 (e) The education provider's plan for involving leaders at the

1 recipient secondary schools and in the surrounding community and the
2 faculty at recipient secondary schools in increasing the capacity and
3 effectiveness of the counseling and postsecondary preparation services
4 provided to secondary school students enrolled in or receiving educational
5 services from the education provider;

6 (f) The extent to which the education provider has developed or
7 plans to develop partnerships to serve the postsecondary needs of all of
8 the secondary students enrolled in or receiving educational services from
9 the education provider;

10 (g) The education provider's use of district-level, or school-level
11 if the education provider is a charter school, needs assessments that
12 identify challenging issues in the district or school in terms of student
13 learning and success and identification of any programs initiated or
14 services provided by the education provider to secondary students that
15 have helped to increase graduation rates and the level of postsecondary
16 success among graduates;

17 (3) In reviewing applications and making recommendations to the
18 department and state board, the school counselor corps advisory board
19 shall consider the following criteria, in addition to any other criteria
20 adopted by rule of the state board:

21 (a) The dropout rate at the intended recipient secondary school or
22 schools and, if the education provider is a school district, at all of the
23 secondary schools within the school district. The school counselor corps
24 advisory board, department, and state board shall give priority to
25 education providers that intend to use the grant moneys MONEY to assist
26 secondary schools at which the dropout rate exceeds the statewide
27 average.

1 (a.5) The remediation rate at the intended recipient ~~secondary~~
2 school or schools and, if the education provider is a school district, all of
3 the ~~secondary~~ schools within the school district. The school counselor
4 corps advisory board, department, and state board shall give priority to
5 education providers that intend to use the grant ~~moneys~~ MONEY to assist
6 ~~secondary~~ schools at which the remediation rate is greater than the
7 statewide average.

8 (b) The percentage of students enrolled in the intended recipient
9 ~~secondary~~ school or schools, and, if the education provider is a school
10 district, all of the ~~secondary~~ schools within the school district, who are
11 eligible for free or reduced-cost lunch or who are considered at-risk
12 students. The school counselor corps advisory board, department, and
13 state board shall give priority to education providers that identify intended
14 recipient ~~secondary~~ schools with a high percentage of said students.

15 (c) The percentage of students enrolled in the intended recipient
16 ~~secondary~~ school or schools and, if the education provider is a school
17 district, all of the ~~secondary~~ schools in the school district, who graduate
18 and enroll in postsecondary education within two years after graduating
19 from high school;

20 (c.5) The number of students enrolled in the intended recipient
21 ~~secondary~~ school or schools and, if the education provider is a school
22 district, all of the ~~secondary~~ schools in the school district, who apply to
23 and enroll in postsecondary education within two years after graduating
24 from high school and who are first-generation college students. The
25 school counselor corps advisory board, department, and state board shall
26 give priority to education providers that identify intended recipient
27 ~~secondary~~ schools with a high percentage of first-generation college

1 students.

2 (4.5) The department shall provide support to secondary schools
3 to train principals on the most effective use of the program.

4 (8) The general assembly hereby finds and declares that, for
5 purposes of section 17 of article IX of the state constitution, awarding
6 grants to education providers to use in increasing the availability of
7 school counselors and the level of school counseling services provided in
8 secondary schools and to thereby increase the graduation and
9 matriculation rates and decrease the need for remediation in
10 postsecondary education is an important element of accountable
11 education reform and may therefore receive funding from the state
12 education fund created in section 17 (4) of article IX of the state
13 constitution.

14 **SECTION 10.** In Colorado Revised Statutes, 22-91-105, **amend**
15 (1)(d) and (1)(e) as follows:

16 **22-91-105. Reporting.** (1) Each education provider that receives
17 a grant through the program shall report the following information to the
18 department each year during the term of the grant:

19 (d) A comparison of the dropout rates, and the college
20 matriculation and remediation rates, if applicable, at the recipient
21 secondary schools for the years prior to receipt of the grant and the years
22 for which the education provider receives the grant;

23 (e) Information indicating an increase in the level of
24 postsecondary preparation services provided to secondary students at
25 recipient secondary schools, such as the use of individual career and
26 academic plans or enrollment in pre-collegiate preparation programs or
27 postsecondary or vocational preparation programs; and

1 **SECTION 11. Act subject to petition - effective date.** This act
2 takes effect at 12:01 a.m. on the day following the expiration of the
3 ninety-day period after final adjournment of the general assembly (August
4 9, 2017, if adjournment sine die is on May 10, 2017); except that, if a
5 referendum petition is filed pursuant to section 1 (3) of article V of the
6 state constitution against this act or an item, section, or part of this act
7 within such period, then the act, item, section, or part will not take effect
8 unless approved by the people at the general election to be held in
9 November 2018 and, in such case, will take effect on the date of the
10 official declaration of the vote thereon by the governor.