

## CHAPTER 124

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**EDUCATION - POSTSECONDARY**

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**HOUSE BILL 24-1403**

BY REPRESENTATIVE(S) Bird and Sirota, Taggart, Amabile, Bacon, Brown, Clifford, deGruy Kennedy, Duran, English, Froelich, Garcia, Hamrick, Hernandez, Herod, Joseph, Lieder, Lindsay, Lindstedt, Lukens, Mabrey, Martinez, Marvin, Mauro, McCormick, McLachlan, Ortiz, Ricks, Rutinel, Story, Titone, Valdez, Willford, Woodrow, Young, McCluskie; also SENATOR(S) Zenzinger and Bridges, Kirkmeyer, Coleman, Cutter, Exum, Gonzales, Hinrichsen, Marchman, Michaelson Jenet, Priola.

**AN ACT**

**CONCERNING POSTSECONDARY EDUCATION SUPPORT FOR STUDENTS EXPERIENCING HOUSING DISRUPTIONS IN HIGH SCHOOL, AND, IN CONNECTION THEREWITH, MAKING AN APPROPRIATION.**

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

**SECTION 1.** In Colorado Revised Statutes, **add** part 15 to article 3.3 of title 23 as follows:

**PART 15****FINANCIAL ASSISTANCE PROGRAM FOR STUDENTS EXPERIENCING HOMELESSNESS**

**23-3.3-1501. Definitions.** AS USED IN THIS PART, UNLESS THE CONTEXT OTHERWISE REQUIRES:

(1) "COST OF ATTENDANCE" HAS THE SAME MEANING AS SET FORTH IN SECTION 23-3.3-1002.

(2) "DEPARTMENT" MEANS THE DEPARTMENT OF HIGHER EDUCATION CREATED IN SECTION 24-1-114.

(3) "FINANCIAL ASSISTANCE PROGRAM FOR STUDENTS EXPERIENCING HOMELESSNESS" OR "FINANCIAL ASSISTANCE PROGRAM" MEANS THE FINANCIAL ASSISTANCE PROGRAM FOR STUDENTS EXPERIENCING HOMELESSNESS CREATED IN SECTION 23-3.3-1502.

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*Capital letters or bold & italic numbers indicate new material added to existing law; dashes through words or numbers indicate deletions from existing law and such material is not part of the act.*

(4) "INSTITUTION OF HIGHER EDUCATION" OR "INSTITUTION" MEANS A STATE INSTITUTION OF HIGHER EDUCATION, AS DEFINED IN SECTION 23-18-102 (10)(a); LOCAL DISTRICT COLLEGE, AS DEFINED IN SECTION 23-71-102; OR AREA TECHNICAL COLLEGE, AS DEFINED IN SECTION 23-60-103.

(5) "QUALIFYING STUDENT" MEANS A RESIDENT OF COLORADO WHO HAS BEEN ACCEPTED FOR ENROLLMENT AT AN INSTITUTION OF HIGHER EDUCATION AND WHO:

(a) HAS BEEN IDENTIFIED BY DESIGNATED SCHOOL PERSONNEL AS A HOMELESS CHILD OR YOUTH PURSUANT TO SECTION 725 OF THE FEDERAL "McKINNEY-VENTO HOMELESS ASSISTANCE ACT", 42 U.S.C. SEC. 11434a WHILE RESIDING IN COLORADO AT ANY TIME BETWEEN THE START OF NINTH GRADE AND THE END OF TWELFTH GRADE; AND

(b) WILL BE SEVENTEEN YEARS OF AGE OR OLDER BUT UNDER TWENTY-SEVEN YEARS OF AGE AT THE TIME OF FINANCIAL ASSISTANCE RECEIPT.

**23-3.3-1502. Financial aid for students who have experienced homelessness - creation - purpose - rules.** (1) (a) THE FINANCIAL ASSISTANCE PROGRAM FOR STUDENTS EXPERIENCING HOMELESSNESS IS CREATED IN THE DEPARTMENT. THE PURPOSE OF THE PROGRAM IS TO INCREASE ACCESS TO POSTSECONDARY EDUCATION FOR STUDENTS WHO HAVE EXPERIENCED HOMELESSNESS DURING HIGH SCHOOL.

(b) BEGINNING IN THE 2024-25 ACADEMIC YEAR, EACH INSTITUTION OF HIGHER EDUCATION IN THE STATE SHALL PROVIDE FINANCIAL ASSISTANCE TO A QUALIFYING STUDENT FOR THE REMAINING BALANCE OF THE STUDENT'S TOTAL COST OF ATTENDANCE IN EXCESS OF THE AMOUNT OF ANY PRIVATE, STATE, OR FEDERAL FINANCIAL ASSISTANCE RECEIVED BY THE QUALIFYING STUDENT DURING THE FIRST ONE HUNDRED THIRTY-TWO SEMESTER CREDIT HOURS OR ONE HUNDRED NINETY-EIGHT QUARTER CREDIT HOURS THAT THE QUALIFYING STUDENT IS ENROLLED IN THE FINANCIAL ASSISTANCE PROGRAM.

(c) IN ORDER TO RECEIVE THE REMAINING BALANCE OF FINANCIAL ASSISTANCE, THE QUALIFYING STUDENT MUST:

(I) COMPLETE THE FREE APPLICATION FOR FEDERAL STUDENT AID OR THE COLORADO APPLICATION FOR STATE FINANCIAL AID, INCLUDING, IF APPLICABLE, ACKNOWLEDGING PAST OR CURRENT EXPERIENCE OF HOMELESSNESS;

(II) REQUEST THE FINANCIAL ASSISTANCE IN ACCORDANCE WITH POLICIES SET FORTH BY THE INSTITUTION;

(III) BE ENROLLED IN COURSES LEADING TOWARD THE QUALIFYING STUDENT'S FIRST BACHELOR'S DEGREE, ASSOCIATE DEGREE, OR CERTIFICATE OF COMPLETION AT AN ACCREDITED INSTITUTION OF HIGHER EDUCATION; AND

(IV) REMAIN IN SATISFACTORY ACADEMIC STANDING IN ACCORDANCE WITH THE ACADEMIC POLICIES OF THE INSTITUTION AND MAKE PROGRESS TOWARD THE COMPLETION OF THE REQUIREMENTS OF THE EDUCATIONAL PROGRAM IN WHICH THE QUALIFYING STUDENT IS ENROLLED.

(2) THE GENERAL ASSEMBLY SHALL APPROPRIATE MONEY TO THE COMMISSION TO COVER FIFTY PERCENT OF THE COST OF PROVIDING THE REMAINING BALANCE OF FINANCIAL ASSISTANCE TO QUALIFYING STUDENTS. SUBJECT TO AVAILABLE APPROPRIATIONS, THE COMMISSION SHALL PROVIDE FUNDING TO AN INSTITUTION EQUAL TO FIFTY PERCENT OF THE REMAINING BALANCE OF FINANCIAL ASSISTANCE PROVIDED BY THE INSTITUTION.

(3) (a) THE COMMISSION SHALL PROMULGATE RULES NECESSARY FOR THE ADMINISTRATION OF THIS SECTION.

(b) EACH INSTITUTION SHALL ADOPT POLICIES FOR THE ADMINISTRATION OF THE FINANCIAL ASSISTANCE PROGRAM.

**23-3.3-1503. Financial assistance program for students experiencing homelessness - program liaison - program navigator - data-sharing.** (1) EACH INSTITUTION SHALL DESIGNATE ONE EMPLOYEE AS A LIAISON TO SERVE AS A POINT OF CONTACT FOR QUALIFYING STUDENTS AND PROSPECTIVE QUALIFYING STUDENTS. THE LIAISON MAY HAVE OTHER DUTIES UNRELATED TO WORK AS THE LIAISON. THE LIAISON SHALL PROVIDE QUALIFYING STUDENTS AND PROSPECTIVE QUALIFYING STUDENTS WITH INFORMATION REGARDING APPLICATION ASSISTANCE, FINANCIAL ASSISTANCE, SUPPORT SERVICES, AND OTHER RESOURCES AND ASSISTANCE THAT ARE AVAILABLE. EACH INSTITUTION SHALL PUBLICIZE THE AVAILABILITY OF THE FINANCIAL ASSISTANCE PROGRAM FOR STUDENTS EXPERIENCING HOMELESSNESS ON THE INSTITUTION'S WEBSITE AND NOTIFY QUALIFYING STUDENTS OF THEIR ELIGIBILITY.

(2) (a) THE DEPARTMENT SHALL EMPLOY AT LEAST ONE FULL-TIME EQUIVALENT POSITION AS A NAVIGATOR FOR STUDENTS EXPERIENCING HOMELESSNESS TO SUPPORT SCHOOL DISTRICTS' HOMELESS EDUCATION LIAISONS, DESCRIBED IN SECTION 22-33-103.5 (7), DESIGNATED HIGH SCHOOL PERSONNEL, AND PROSPECTIVE QUALIFYING STUDENTS IN APPLYING FOR AND ENROLLING IN INSTITUTIONS OF HIGHER EDUCATION. THE NAVIGATOR SHALL WORK WITH SCHOOL DISTRICTS' HOMELESS EDUCATION LIAISONS AND HIGH SCHOOL COUNSELORS OR OTHER DESIGNATED PERSONNEL TO SUPPORT THE IDENTIFICATION OF PROSPECTIVE QUALIFYING STUDENTS. THE NAVIGATOR SHALL PROVIDE SUPPORT TO SCHOOL DISTRICTS' HOMELESS EDUCATION LIAISONS, DESIGNATED HIGH SCHOOL PERSONNEL, AND PROSPECTIVE QUALIFYING STUDENTS IN SELECTING INSTITUTIONS AND PROGRAMS IN WHICH THE PROSPECTIVE QUALIFYING STUDENT MAY WANT TO ENROLL. THE NAVIGATOR SHALL, AT THE REQUEST OF A PROSPECTIVE QUALIFYING STUDENT, ASSIST THE PROSPECTIVE QUALIFYING STUDENT WITH THE COMPLETION OF AN INSTITUTION'S APPLICATION FOR ADMISSION, THE FREE APPLICATION FOR FEDERAL STUDENT AID, OR THE COLORADO APPLICATION FOR STATE FINANCIAL AID.

(b) EACH INSTITUTION SHALL PROVIDE THE NAVIGATOR WITH THE CONTACT INFORMATION FOR THE INSTITUTION'S LIAISON DESIGNATED PURSUANT TO SUBSECTION (1) OF THIS SECTION.

(3) THE DEPARTMENT SHALL ENTER INTO A DATA-SHARING AGREEMENT WITH THE DEPARTMENT OF EDUCATION TO SHARE PERSONALLY IDENTIFIABLE STUDENT INFORMATION FOR THE PURPOSE OF IDENTIFYING AND SUPPORTING PROSPECTIVE QUALIFYING STUDENTS. AT A MINIMUM, THE DATA-SHARING AGREEMENT MUST

ENSURE THAT THE EXCHANGE OF INFORMATION IS CONDUCTED IN COMPLIANCE WITH THE "COLORADO PRIVACY ACT", PART 13 OF ARTICLE 1 OF TITLE 6; THE FEDERAL "FAMILY EDUCATIONAL RIGHTS AND PRIVACY RIGHTS ACT OF 1974", 20 U.S.C. SEC. 1232g, AS AMENDED; AND THE "STUDENT DATA TRANSPARENCY AND SECURITY ACT", ARTICLE 16 OF TITLE 22. THE DEPARTMENTS SHALL MAINTAIN STRICT STANDARDS FOR STUDENT DATA PRIVACY AND SHALL NOT PUBLICLY REPORT INDIVIDUAL STUDENT DATA FOR ANY PURPOSE.

**SECTION 2.** In Colorado Revised Statutes, 23-3.3-1401, **amend** (1)(d)(I), (2)(a), and (5)(a) as follows:

**23-3.3-1401. Financial aid for students who have been in out-of-home placement - institution liaisons - navigators - definitions.** (1) As used in this section, unless the context otherwise requires:

(d) "Qualifying student" means a resident of Colorado who has been accepted for enrollment at an institution of higher education who:

(I) Has been ~~placed~~ in foster care, as defined in section 19-1-103, in Colorado at any time on or after the student's thirteenth birthday; or

(2) (a) Beginning in the 2022-23 academic year, each institution of higher education in the state shall provide financial assistance to a qualifying student for the remaining balance of the student's total cost of attendance in excess of the amount of any private, state, or federal financial assistance received by the student, referred to in this section as "remaining balance financial assistance", during the first one hundred thirty-two semester hours or one hundred ninety-eight quarter hours that the student is enrolled ~~at the institution~~ IN THE FINANCIAL ASSISTANCE PROGRAM CREATED PURSUANT TO THIS PART 14.

(5) (a) Each institution shall designate one employee as a liaison to serve as a direct point of contact with the institution for qualifying students and prospective qualifying students. The liaison may have other duties unrelated to work as the liaison. The liaison shall provide qualifying students and prospective qualifying students with information regarding application assistance, financial assistance, support services, and other resources and assistance available to qualifying students and prospective qualifying students. EACH INSTITUTION SHALL PUBLICIZE THE AVAILABILITY OF FINANCIAL ASSISTANCE PURSUANT TO THIS PART 14 ON THE INSTITUTION'S WEBSITE AND NOTIFY QUALIFYING STUDENTS OF THEIR ELIGIBILITY.

**SECTION 3.** In Colorado Revised Statutes, 22-33-103.5, **amend** (8)(b); and **add** (8)(c) as follows:

**22-33-103.5. Attendance of homeless children and youth - definitions.** (8) **Credit accrual and college readiness.** (b) Counseling ~~shall~~ **MUST** be provided to a homeless child or youth and to an unaccompanied homeless child or youth to assist the homeless child or youth and unaccompanied homeless child or youth by advising, preparing, and improving access to postsecondary options. COUNSELING **MUST** INCLUDE PROVIDING PROSPECTIVE QUALIFYING STUDENTS WITH INFORMATION ABOUT THE FINANCIAL ASSISTANCE PROGRAM FOR STUDENTS EXPERIENCING HOMELESSNESS CREATED IN SECTION 23-3.3-1502.

(c) PURSUANT TO SECTION 23-3.3-1503 (3), THE DEPARTMENT OF EDUCATION SHALL PROVIDE SCHOOL DISTRICT DATA IDENTIFYING PROSPECTIVE QUALIFYING STUDENTS BASED ON STUDENT LEVEL STATUS PURSUANT TO THE FEDERAL "McKINNEY-VENTO HOMELESS ASSISTANCE ACT", 42 U.S.C. SEC. 11301, AS AMENDED, AND OTHER DATA ALREADY COLLECTED BY THE DEPARTMENT OF EDUCATION, TO THE DEPARTMENT OF HIGHER EDUCATION FOR ACADEMIC YEAR 2023-24 BY JULY 1, 2024, AND FOR FUTURE ACADEMIC YEARS, ON EACH JANUARY 20 THEREAFTER.

**SECTION 4. Appropriations.** (1) For the 2024-25 state fiscal year, \$1,668,381 is appropriated to the department of higher education. This appropriation is from the general fund and is based on an assumption that the department will require an additional 1.8 FTE. To implement this act, the department may use this appropriation for postsecondary assistance for students who experienced homelessness during high school.

(2) For the 2024-25 state fiscal year, \$26,055 is appropriated to the department of education for use by the office of dropout prevention and student reengagement. This appropriation is from the general fund and is based on an assumption that the office will require an additional 0.2 FTE. To implement this act, the office may use this appropriation for the homeless student scholarship program.

**SECTION 5. Safety clause.** The general assembly finds, determines, and declares that this act is necessary for the immediate preservation of the public peace, health, or safety or for appropriations for the support and maintenance of the departments of the state and state institutions.

Approved: April 29, 2024