

**Second Regular Session
Seventy-third General Assembly
STATE OF COLORADO**

REVISED

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

LLS NO. 22-0118.01 Conrad Imel x2313

SENATE BILL 22-008

SENATE SPONSORSHIP

Zenzinger and Priola, Fenberg, Moreno, Bridges, Buckner, Coleman, Danielson, Donovan, Fields, Ginal, Gonzales, Hansen, Hinrichsen, Jaquez Lewis, Kolker, Lee, Pettersen, Rankin, Rodriguez, Story

HOUSE SPONSORSHIP

McLachlan and McKean,

Senate Committees

Education
Appropriations

House Committees

Education
Appropriations

A BILL FOR AN ACT

101 **CONCERNING POSTSECONDARY EDUCATION SUPPORT FOR CERTAIN**
102 **STUDENTS WHO HAVE BEEN IN OUT-OF-HOME PLACEMENT, AND,**
103 **IN CONNECTION THEREWITH, MAKING AN APPROPRIATION.**

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/>.)

Colorado Youth Advisory Council Review Committee. The bill requires all public higher education institutions (institutions) in Colorado to waive undergraduate tuition and fees for Colorado resident students who have been in foster care or, following an adjudication as neglected or dependent, in noncertified kinship care in Colorado at any time on or

Shading denotes HOUSE amendment. Double underlining denotes SENATE amendment.
*Capital letters or bold & italic numbers indicate new material to be added to existing statute.
Dashes through the words indicate deletions from existing statute.*

HOUSE
Amended 2nd Reading
April 26, 2022

SENATE
3rd Reading Unamended
March 25, 2022

SENATE
Amended 2nd Reading
March 24, 2022

after reaching the age of 13 (qualifying students). The institutions are required to designate an employee to serve as a liaison to qualifying or prospective qualifying students.

Under existing law, school districts and the state charter school institute must designate an employee to act as the child welfare education liaison. The bill requires child welfare education liaisons to provide students in out-of-home placement with information and assistance regarding the tuition waiver for qualifying students.

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

2 **SECTION 1. In Colorado Revised Statutes, add part 14 to article**
3 **3.3 of title 23 as follows:**

4 **PART 14**

5 **FOSTER YOUTH FINANCIAL ASSISTANCE PROGRAM**

6 **23-3.3-1401. Financial aid for students who have been in**
7 **out-of-home placement - institution liaisons - navigators -**
8 **definitions.** (1) AS USED IN THIS SECTION, UNLESS THE CONTEXT
9 OTHERWISE REQUIRES:

10 (a) "CHAFEE ETV GRANT" MEANS AN EDUCATIONAL AND TRAINING
11 VOUCHERS PROGRAM GRANT MADE PURSUANT TO THE FEDERAL "JOHN H.
12 CHAFEE FOSTER CARE PROGRAM FOR SUCCESSFUL TRANSITION TO
13 ADULTHOOD", 42 U.S.C. SEC. 677.

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

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

21 (d) "QUALIFYING STUDENT" MEANS A RESIDENT OF COLORADO

1 WHO HAS BEEN ACCEPTED FOR ENROLLMENT AT AN INSTITUTION OF
2 HIGHER EDUCATION WHO:

3 (I) HAS BEEN PLACED IN FOSTER CARE, AS DEFINED IN SECTION
4 19-1-103, IN COLORADO AT ANY TIME ON OR AFTER THE STUDENT'S
5 THIRTEENTH BIRTHDAY; OR

6 (II) HAS BEEN IN NONCERTIFIED KINSHIP CARE, AS DEFINED IN
7 SECTION 19-1-103, IN COLORADO AT ANY TIME ON OR AFTER THE
8 STUDENT'S THIRTEENTH BIRTHDAY AND WAS, AT ANY TIME, ADJUDICATED
9 NEGLECTED OR DEPENDENT PURSUANT TO ARTICLE 3 OF TITLE 19.

10 (2) (a) BEGINNING IN THE 2022-23 ACADEMIC YEAR, EACH
11 INSTITUTION OF HIGHER EDUCATION IN THE STATE SHALL PROVIDE
12 FINANCIAL ASSISTANCE TO A QUALIFYING STUDENT FOR THE REMAINING
13 BALANCE OF THE STUDENT'S TOTAL COST OF ATTENDANCE IN EXCESS OF
14 THE AMOUNT OF ANY PRIVATE, STATE, OR FEDERAL FINANCIAL ASSISTANCE
15 RECEIVED BY THE STUDENT, REFERRED TO IN THIS SECTION AS "REMAINING
16 BALANCE FINANCIAL ASSISTANCE", DURING THE FIRST ONE HUNDRED
17 THIRTY-TWO SEMESTER HOURS OR ONE HUNDRED NINETY-EIGHT QUARTER
18 HOURS THAT THE STUDENT IS ENROLLED AT THE INSTITUTION.

19 (b) IN ORDER TO RECEIVE REMAINING BALANCE FINANCIAL
20 ASSISTANCE, THE QUALIFYING STUDENT MUST:

21 (I) COMPLETE THE FREE APPLICATION FOR FEDERAL STUDENT AID,
22 INCLUDING, IF APPLICABLE, ACKNOWLEDGING PAST OR CURRENT FOSTER
23 CARE PLACEMENT;

24 (II) IF ELIGIBLE, COMPLETE THE APPLICATION FOR A CHAFEE ETV
25 GRANT;

26 (III) BE ENROLLED IN COURSES LEADING TOWARD A BACHELOR'S
27 DEGREE, A POSTGRADUATE DEGREE, AN ASSOCIATE DEGREE, OR A

1 CERTIFICATE OF COMPLETION AT AN INSTITUTION OF HIGHER EDUCATION;

2 (IV) REQUEST THE FINANCIAL ASSISTANCE IN ACCORDANCE WITH
3 POLICIES SET FORTH BY THE INSTITUTION; AND

4 (V) REMAIN IN SATISFACTORY ACADEMIC STANDING IN
5 ACCORDANCE WITH THE ACADEMIC POLICIES OF THE INSTITUTION AND BE
6 MAKING PROGRESS TOWARD COMPLETION OF THE REQUIREMENTS OF THE
7 EDUCATIONAL PROGRAM IN WHICH THE STUDENT IS ENROLLED.

8 (3) THE GENERAL ASSEMBLY SHALL APPROPRIATE MONEY TO THE
9 COMMISSION TO COVER FIFTY PERCENT OF PROVIDING REMAINING
10 BALANCE FINANCIAL ASSISTANCE TO QUALIFYING STUDENTS. SUBJECT TO
11 AVAILABLE APPROPRIATIONS, THE COMMISSION SHALL PROVIDE FUNDING
12 TO AN INSTITUTION EQUAL TO FIFTY PERCENT OF THE REMAINING BALANCE
13 FINANCIAL ASSISTANCE PROVIDED BY THE INSTITUTION.

14 (4) THE COMMISSION SHALL PROMULGATE RULES NECESSARY FOR
15 THE ADMINISTRATION OF THIS SECTION.

16 (5) (a) EACH INSTITUTION SHALL DESIGNATE ONE EMPLOYEE AS A
17 LIAISON TO SERVE AS A DIRECT POINT OF CONTACT WITH THE INSTITUTION
18 FOR QUALIFYING STUDENTS AND PROSPECTIVE QUALIFYING STUDENTS.
19 THE LIAISON MAY HAVE OTHER DUTIES UNRELATED TO WORK AS THE
20 LIAISON. THE LIAISON SHALL PROVIDE QUALIFYING STUDENTS AND
21 PROSPECTIVE QUALIFYING STUDENTS WITH INFORMATION REGARDING
22 APPLICATION ASSISTANCE, FINANCIAL ASSISTANCE, SUPPORT SERVICES,
23 AND OTHER RESOURCES AND ASSISTANCE AVAILABLE TO QUALIFYING
24 STUDENTS AND PROSPECTIVE QUALIFYING STUDENTS.

25 (b) EACH INSTITUTION SHALL PROVIDE THE FOSTER CARE STUDENT
26 NAVIGATORS DESCRIBED IN SUBSECTION (6) OF THIS SECTION WITH THE
27 CONTACT INFORMATION FOR THE LIAISON.

1 (6) THE DEPARTMENT OF HIGHER EDUCATION SHALL DESIGNATE
2 FOUR FULL-TIME EQUIVALENT EMPLOYEES AS FOSTER CARE STUDENT
3 NAVIGATORS TO ASSIST PROSPECTIVE QUALIFYING STUDENTS IN APPLYING
4 FOR AND ENROLLING IN INSTITUTIONS OF HIGHER EDUCATION. THE
5 NAVIGATORS SHALL WORK WITH SCHOOL DISTRICT AND STATE CHARTER
6 SCHOOL INSTITUTE CHILD WELFARE EDUCATION LIAISONS, DESCRIBED IN
7 SECTION 22-32-138 (2), TO IDENTIFY PROSPECTIVE QUALIFYING
8 STUDENTS. A NAVIGATOR SHALL PROVIDE GUIDANCE TO PROSPECTIVE
9 QUALIFYING STUDENTS WITH SELECTING INSTITUTIONS AND PROGRAMS IN
10 WHICH THE STUDENT MAY WANT TO ENROLL. A NAVIGATOR SHALL, AT THE
11 REQUEST OF A STUDENT, ASSIST THE STUDENT WITH COMPLETING AN
12 INSTITUTION'S APPLICATION FOR ADMISSION, THE FREE APPLICATION FOR
13 FEDERAL STUDENT AID, AND, IF ELIGIBLE, THE APPLICATION FOR A CHAFEE
14 ETV GRANT.

15 SECTION 2. In Colorado Revised Statutes, 22-32-138, **amend**
16 (2)(b)(V) and (2)(b)(VI); and **add** (2)(b)(VII) as follows:

17 **22-32-138. Out-of-home placement students - school stability,**
18 **transfer, and enrollment procedures - absences - exemptions -**
19 **provision of academic supports - definitions.** (2) (b) The child welfare
20 education liaison shall be responsible for working with child placement
21 agencies, county departments, and the state department of human services
22 to facilitate services to maintain students in out-of-home placement in
23 their schools of origin or, if the county department determines that it is
24 not in the students' best interests to remain in the school of origin,
25 facilitate the prompt and appropriate placement, transfer, and enrollment
26 in school of students in out-of-home placement within the school district
27 or who are enrolled or enrolling in institute charter schools. The child

1 welfare education liaison's specific duties include but need not be limited
2 to:

3 (V) Participating, or having ~~his or her~~ THE LIAISON'S designee
4 participate, in any interagency collaboration teams or threat-assessment
5 teams centered on students in out-of-home placement, which teams the
6 education provider may develop or on which teams the education
7 provider may be invited to participate; and

8 (VI) Providing to the department of education, the department of
9 human services, and the education committees of the house of
10 representatives and the senate, or any successor committees, the
11 information required pursuant to sections 22-2-139 and 26-1-138; AND

12 (VII) PROVIDING STUDENTS IN OUT-OF-HOME PLACEMENT WITH
13 INFORMATION ABOUT THE FINANCIAL ASSISTANCE DESCRIBED IN SECTION
14 23-3.3-1401.

15 **SECTION 3. Appropriation.** For the 2022-23 state fiscal year,
16 \$2,610,575 is appropriated to the department of higher education. This
17 appropriation is from the general fund and is based on an assumption that
18 the department will require an additional 3.7 FTE. To implement this act,
19 the department may use this appropriation for the state aid for foster
20 students program.

21 **SECTION 4. Safety clause.** The general assembly hereby finds,
22 determines, and declares that this act is necessary for the immediate
23 preservation of the public peace, health, or safety.