

SENATE COMMITTEE OF REFERENCE REPORT

Chair of Committee

March 1, 2023
Date

Committee on Education.

After consideration on the merits, the Committee recommends the following:

SB23-149 be amended as follows, and as so amended, be referred to the Committee on Appropriations with favorable recommendation:

1 Amend printed bill, strike everything below the enacting clause and
2 substitute:

3 "SECTION 1. In Colorado Revised Statutes, add 23-3.3-1010 as
4 follows:

5 **23-3.3-1010. Youth mentorship assistance grant pilot program**
6 **- creation - policies - reports - definitions - repeal.** (1) THERE IS
7 CREATED IN THE INITIATIVE THE YOUTH MENTORSHIP ASSISTANCE GRANT
8 PILOT PROGRAM. THE PURPOSE OF THE PROGRAM IS TO PROVIDE FINANCIAL
9 ASSISTANCE TO A STUDENT WHO PROVIDES MENTORSHIP SERVICES TO
10 DEFRAY THE COST OF THE STUDENT'S ATTENDANCE AT A PUBLIC
11 INSTITUTION OF HIGHER EDUCATION.

12 (2) THE BOARD SHALL:

13 (a) SELECT APPROVED YOUTH MENTORSHIP ORGANIZATIONS TO
14 PARTICIPATE IN THE PROGRAM;

15 (b) ESTABLISH A MAXIMUM CAP, OR VARIOUS MAXIMUM CAPS, ON
16 THE AMOUNT THAT ELIGIBLE STUDENT-MENTORS MAY EARN THROUGH
17 PROVIDING MENTORSHIP SERVICES; AND

18 (c) ESTABLISH PRIORITY CONSIDERATION FOR ELIGIBLE
19 STUDENT-MENTORS WHO DEMONSTRATE THE GREATEST FINANCIAL
20 ASSISTANCE NEEDS.

21 (3) TO BE AN APPROVED YOUTH MENTORSHIP ORGANIZATION, A
22 YOUTH MENTORSHIP ORGANIZATION SHALL:

23 (a) PROVIDE MENTORSHIP SERVICES TO YOUTH WHO RESIDE IN
24 COMMUNITIES THAT WERE HISTORICALLY AND ARE CURRENTLY
25 NEGATIVELY IMPACTED BY STRUCTURAL AND SYSTEMIC DESIGN, AND
26 CONSEQUENTLY HAVE NO OR LIMITED ACCESS TO QUALITY MENTORSHIP
27 SERVICES;

28 (b) APPLY TO THE BOARD IN THE TIME AND MANNER REQUIRED BY

1 THE BOARD; AND
2 (c) (I) HAVE A POLICY AND PROCEDURE REQUIRING A STATE AND
3 NATIONAL FINGERPRINT-BASED CRIMINAL HISTORY RECORD CHECK
4 UTILIZING THE RECORDS OF THE COLORADO BUREAU OF INVESTIGATION
5 AND THE FEDERAL BUREAU OF INVESTIGATION OF ALL PROSPECTIVE
6 ELIGIBLE STUDENT-MENTORS, VOLUNTEERS, AND EMPLOYEES.
7 (II) THE YOUTH MENTORSHIP ORGANIZATION SHALL NOT PERMIT
8 PROSPECTIVE ELIGIBLE STUDENT-MENTORS, VOLUNTEERS, OR EMPLOYEES
9 TO SERVE THE ORGANIZATION IF THEY HAVE BEEN CONVICTED OF,
10 ENTERED A PLEA OF GUILTY OR NOLO CONTENDERE TO, OR RECEIVED A
11 DEFERRED SENTENCE FOR:
12 (A) A FELONY;
13 (B) A MISDEMEANOR CRIME INVOLVING UNLAWFUL SEXUAL
14 BEHAVIOR OR UNLAWFUL BEHAVIOR INVOLVING CHILDREN; OR
15 (C) A MISDEMEANOR CRIME, THE UNDERLYING FACTUAL BASIS OF
16 WHICH HAS BEEN FOUND BY THE COURT ON THE RECORD TO INVOLVE
17 DOMESTIC VIOLENCE.
18 (4) TO BE AN ELIGIBLE STUDENT-MENTOR, THE STUDENT SHALL:
19 (a) APPLY TO THE APPROVED YOUTH MENTORSHIP ORGANIZATION
20 IN THE TIME AND MANNER SPECIFIED BY THE BOARD;
21 (b) SATISFY ALL ELIGIBILITY REQUIREMENTS NECESSARY TO BE A
22 STUDENT-MENTOR THROUGH THE APPROVED YOUTH MENTORSHIP
23 ORGANIZATION, INCLUDING COMPLETING THE FINGERPRINT-BASED
24 CRIMINAL HISTORY RECORD CHECK AS REQUIRED BY SUBSECTION (3)(c) OF
25 THIS SECTION; AND
26 (c) BE ENROLLED IN A QUALIFIED PUBLIC INSTITUTION OF HIGHER
27 EDUCATION FOR THE DURATION OF THE MENTORSHIP.
28 (5)(a) THE BOARD SHALL ESTABLISH POLICIES THAT ENSURE THAT
29 PROGRAM MONEY IS USED FOR APPROVED ELIGIBLE STUDENT-MENTORS'
30 HIGHER EDUCATION COST OF ATTENDANCE AND THAT ELIGIBLE
31 STUDENT-MENTORS WHO PARTICIPATE IN THE PROGRAM PROVIDE
32 EVIDENCE OF PROGRAM COMPLIANCE TO EARN THE FINANCIAL ASSISTANCE
33 FOR COST OF ATTENDANCE. THE BOARD SHALL ESTABLISH POLICIES FOR
34 THE REPAYMENT OF ANY FINANCIAL ASSISTANCE APPLIED TOWARD THE
35 COST OF ATTENDANCE FOR THE ELIGIBLE STUDENT-MENTOR THAT THE
36 ELIGIBLE STUDENT-MENTOR DID NOT EARN.
37 (b) THE BOARD MAY ESTABLISH POLICIES NECESSARY FOR THE
38 ADMINISTRATION OF THE PROGRAM, INCLUDING THE DATES FOR
39 DISBURSEMENTS TO APPROVED YOUTH MENTORSHIP ORGANIZATIONS AND
40 ELIGIBLE STUDENT-MENTORS' PUBLIC INSTITUTIONS OF HIGHER
41 EDUCATION.
42 (6) FOR THE 2023-24 STATE FISCAL YEAR, THE GENERAL
43 ASSEMBLY SHALL APPROPRIATE ONE HUNDRED THOUSAND DOLLARS FROM

1 THE GENERAL FUND TO THE DEPARTMENT FOR USE BY THE COMMISSION
2 FOR THE PURPOSE OF THIS SECTION. ANY MONEY APPROPRIATED
3 PURSUANT TO THIS SECTION NOT EXPENDED PRIOR TO JULY 1, 2024, IS
4 FURTHER APPROPRIATED TO THE DEPARTMENT FOR USE BY THE BOARD FOR
5 THE 2024-25 AND 2025-26 STATE FISCAL YEARS FOR THE SAME PURPOSE.

6 (7) (a) ON OR BEFORE JANUARY 1, 2024, THE BOARD SHALL MAKE
7 ITS FIRST DISBURSEMENT TO APPROVED YOUTH MENTORSHIP
8 ORGANIZATIONS.

9 (b) THE BOARD SHALL DISBURSE AN EQUAL AMOUNT OF MONEY TO
10 EACH APPROVED YOUTH MENTORSHIP ORGANIZATION.

11 (c) AN APPROVED YOUTH MENTORSHIP ORGANIZATION SHALL
12 DISBURSE THE MONEY RECEIVED THROUGH THE PROGRAM TO THE
13 QUALIFIED PUBLIC INSTITUTION OF HIGHER EDUCATION IN WHICH AN
14 ELIGIBLE STUDENT-MENTOR WHO PROVIDES SERVICE TO THE YOUTH
15 MENTORSHIP ORGANIZATION IS ENROLLED, TO BE APPLIED TOWARD THE
16 COST OF ATTENDANCE FOR THE ELIGIBLE STUDENT-MENTOR IN EXCHANGE
17 FOR THE MENTORSHIP SERVICES PROVIDED BY THE ELIGIBLE
18 STUDENT-MENTOR. THE AMOUNT DISBURSED PURSUANT TO THIS
19 SUBSECTION (7)(c) MUST NOT EXCEED THE APPLICABLE CAP ESTABLISHED
20 BY THE BOARD PURSUANT TO SUBSECTION (2)(b) OF THIS SECTION.

21 (d) AT THE END OF THE GRANT TERM, THE APPROVED YOUTH
22 MENTORSHIP ORGANIZATIONS SHALL RETURN ANY UNUSED MONEY
23 RECEIVED THROUGH THE PROGRAM TO THE DEPARTMENT.

24 (8) (a) AN APPROVED YOUTH MENTORSHIP ORGANIZATION SHALL
25 SUBMIT AN ANNUAL REPORT TO THE DEPARTMENT THAT INCLUDES:

26 (I) A DESCRIPTION OF THE APPROVED YOUTH MENTORSHIP
27 ORGANIZATION, INCLUDING ITS LOCATION, THE SERVICES IT PROVIDES,
28 DEMOGRAPHIC INFORMATION OF THE MENTEES IT SERVES, AND SUMMARIES
29 OF THE PROGRAM'S IMPACT ON THE MENTEES SERVED; EXCEPT THAT ANY
30 SUMMARY MUST NOT DISCLOSE THE IDENTITY OF A MENTEE OR INCLUDE
31 PERSONAL INFORMATION THAT COULD DISCLOSE THE IDENTITY OF A
32 MENTEE;

33 (II) THE NUMBER OF ELIGIBLE-STUDENT MENTORS WHO PROVIDED
34 MENTORSHIP SERVICES TO THE APPROVED YOUTH MENTORSHIP
35 ORGANIZATION DURING THE PRECEDING STATE FISCAL YEAR, IN TOTAL
36 AND DISAGGREGATED BY RACE, ETHNICITY, GENDER IDENTITY, AND THE
37 QUALIFIED PUBLIC INSTITUTION OF HIGHER EDUCATION IN WHICH THE
38 ELIGIBLE-STUDENT MENTORS ARE ENROLLED; AND

39 (III) THE AMOUNT OF MONEY RECEIVED BY THE APPROVED YOUTH
40 MENTORSHIP ORGANIZATION FROM THE PROGRAM, IN TOTAL AND
41 DISAGGREGATED BY PAYMENTS TO PUBLIC INSTITUTIONS OF HIGHER
42 EDUCATION.

43 (b) ON OR BEFORE DECEMBER 1, 2024, AND ON OR BEFORE

1 DECEMBER 1 EACH YEAR THEREAFTER, THE DEPARTMENT SHALL SUBMIT
2 A REPORT TO THE EDUCATION COMMITTEES OF THE SENATE AND HOUSE OF
3 REPRESENTATIVES, OR ANY SUCCESSOR COMMITTEES, CONCERNING THE
4 PROGRAM IN THE PRECEDING STATE FISCAL YEAR. AT A MINIMUM, THE
5 REPORT MUST INCLUDE INFORMATION CONCERNING:

6 (I) THE INFORMATION PROVIDED BY THE APPROVED YOUTH
7 MENTORSHIP ORGANIZATIONS DESCRIBED IN SUBSECTION (8)(a) OF THIS
8 SECTION;

9 (II) IF AVAILABLE, THE NUMBER OF ELIGIBLE-STUDENT MENTORS
10 WHO PARTICIPATED IN THE PROGRAM WHO CONTINUED ENROLLMENT IN
11 THE QUALIFIED PUBLIC INSTITUTION OF HIGHER EDUCATION IN A
12 SUBSEQUENT ACADEMIC TERM, REPORTED FOR THE PROGRAM AS A WHOLE
13 AND FOR EACH INSTITUTION, IN TOTAL AND DISAGGREGATED BY RACE,
14 ETHNICITY, AND GENDER IDENTITY; AND

15 (III) IF AVAILABLE, THE NUMBER OF ELIGIBLE-STUDENT MENTORS
16 WHO PARTICIPATED IN THE PROGRAM WHO GRADUATED FROM THE
17 QUALIFIED PUBLIC INSTITUTION OF HIGHER EDUCATION, REPORTED FOR
18 THE PROGRAM AS A WHOLE AND FOR EACH INSTITUTION, IN TOTAL AND
19 DISAGGREGATED BY RACE, ETHNICITY, AND GENDER IDENTITY.

20 (9) AS USED IN THIS SECTION, UNLESS THE CONTEXT OTHERWISE
21 REQUIRES:

22 (a) "PROGRAM" MEANS THE YOUTH MENTORSHIP ASSISTANCE
23 GRANT PILOT PROGRAM CREATED IN SUBSECTION (1) OF THIS SECTION.

24 (b) "PUBLIC INSTITUTION OF HIGHER EDUCATION" MEANS A STATE
25 INSTITUTION OF HIGHER EDUCATION IDENTIFIED IN SECTION 23-18-102
26 (10)(a), A LOCAL DISTRICT COLLEGE, OR AN AREA TECHNICAL COLLEGE.

27 (c) "YOUTH MENTORSHIP ORGANIZATION" MEANS A
28 COMMUNITY-BASED ORGANIZATION THAT PROVIDES MENTORSHIP
29 SERVICES TO YOUTH WHO RESIDE IN COMMUNITIES THAT WERE
30 HISTORICALLY AND ARE CURRENTLY NEGATIVELY IMPACTED BY
31 STRUCTURAL AND SYSTEMIC DESIGN, AND CONSEQUENTLY HAVE NO OR
32 LIMITED ACCESS TO QUALITY MENTORSHIP SERVICES.

33 (10) THIS SECTION IS REPEALED, EFFECTIVE JULY 1, 2027.

34 **SECTION 2. Act subject to petition - effective date.** This act
35 takes effect at 12:01 a.m. on the day following the expiration of the
36 ninety-day period after final adjournment of the general assembly; except
37 that, if a referendum petition is filed pursuant to section 1 (3) of article V
38 of the state constitution against this act or an item, section, or part of this
39 act within such period, then the act, item, section, or part will not take
40 effect unless approved by the people at the general election to be held in
41 November 2024 and, in such case, will take effect on the date of the
42 official declaration of the vote thereon by the governor."

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