

CHAPTER 226

EDUCATION - POSTSECONDARY

SENATE BILL 22-008

BY SENATOR(S) Zenzinger and Priola, Fenberg, Moreno, Bridges, Buckner, Coleman, Danielson, Donovan, Fields, Ginal, Gonzales, Hansen, Hinrichsen, Jaquez Lewis, Kolker, Lee, Pettersen, Rankin, Rodriguez, Story;
 also REPRESENTATIVE(S) McLachlan and McKean, Amabile, Bacon, Bird, Bockenfeld, Caraveo, Carver, Cutter, Daugherty, Froelich, Gonzales-Gutierrez, Herod, Jodeh, Kipp, Lindsay, Lontine, McCluskie, Michaelson Jenet, Mullica, Ricks, Sirota, Titone, Valdez A., Valdez D.

AN ACT

CONCERNING POSTSECONDARY EDUCATION SUPPORT FOR CERTAIN STUDENTS WHO HAVE BEEN IN OUT-OF-HOME PLACEMENT, 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 14 to article 3.3 of title 23 as follows:

PART 14
 FOSTER YOUTH FINANCIAL ASSISTANCE PROGRAM

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:

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

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

(c) "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.

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.

(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

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

(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.

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

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

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

(III) BE ENROLLED IN COURSES LEADING TOWARD A BACHELOR'S DEGREE, A POSTGRADUATE DEGREE, AN ASSOCIATE DEGREE, OR A CERTIFICATE OF COMPLETION AT AN INSTITUTION OF HIGHER EDUCATION;

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

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

(3) THE GENERAL ASSEMBLY SHALL APPROPRIATE MONEY TO THE COMMISSION TO COVER FIFTY PERCENT OF PROVIDING REMAINING BALANCE 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 FINANCIAL ASSISTANCE PROVIDED BY THE INSTITUTION.

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

(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.

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

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

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

22-32-138. Out-of-home placement students - school stability, transfer, and enrollment procedures - absences - exemptions - provision of academic supports - definitions. (2) (b) The child welfare education liaison shall be responsible for working with child placement agencies, county departments, and the state department of human services to facilitate services to maintain students in out-of-home placement in their schools of origin or, if the county department determines that it is not in the students' best interests to remain in the school of origin, facilitate the prompt and appropriate placement, transfer, and enrollment in school of students in out-of-home placement within the school district or who are enrolled or enrolling in institute charter schools. The child welfare education liaison's specific duties include but need not be limited to:

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

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

(VII) PROVIDING STUDENTS IN OUT-OF-HOME PLACEMENT WITH INFORMATION

ABOUT THE FINANCIAL ASSISTANCE DESCRIBED IN SECTION 23-3.3-1401.

SECTION 3. Appropriation. For the 2022-23 state fiscal year, \$2,610,575 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 3.7 FTE. To implement this act, the department may use this appropriation for the state aid for foster students program.

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

Approved: May 26, 2022