# Second Regular Session Seventy-fourth General Assembly STATE OF COLORADO

### **INTRODUCED**

LLS NO. 24-0232.01 Jacob Baus x2173

**HOUSE BILL 24-1049** 

### **HOUSE SPONSORSHIP**

Weinberg and Vigil,

### SENATE SPONSORSHIP

Marchman and Winter F.,

# **House Committees**

### **Senate Committees**

Education

101

102

103

# A BILL FOR AN ACT CONCERNING THE CREATION OF A LOAN REPAYMENT PROGRAM FOR LICENSED SCHOOL MENTAL HEALTH PROFESSIONALS PRACTICING IN COLORADO SCHOOLS.

## **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 <a href="http://leg.colorado.gov/">http://leg.colorado.gov/</a>.)

Colorado Youth Advisory Council Review Committee. The bill creates the licensed school mental health professional loan repayment program (program) in the department of higher education. The purpose of the program is to provide loan repayment of up to \$10,000 to eligible school counselors, school psychologists, and school social workers who

provide mental health services to students who have limited access to mental health services. The commission on higher education (commission) administers the program.

The bill creates in the state treasury the licensed school mental health professional loan repayment program fund.

The bill requires that the commission submit an annual report to the education committees of the house of representatives and the senate on or before October 31 of each year the program is operational.

The program repeals on July 1, 2029.

1	Be it enacted by the General Assembly of the State of Colorado:
2	SECTION 1. In Colorado Revised Statutes, add part 3 to article
3	3.6 of title 23 as follows:
4	PART 3
5	LICENSED SCHOOL MENTAL HEALTH PROFESSIONAL
6	LOAN REPAYMENT PROGRAM
7	23-3.6-301. Definitions. As used in this part 3, unless the
8	CONTEXT OTHERWISE REQUIRES:
9	(1) "COMMISSION" MEANS THE COLORADO COMMISSION ON
10	HIGHER EDUCATION.
11	(2) "FUND" MEANS THE LICENSED SCHOOL MENTAL HEALTH
12	PROFESSIONAL LOAN REPAYMENT PROGRAM FUND, CREATED PURSUANT TO
13	SECTION 23-3.6-302 (2).
14	(3) "PROGRAM" MEANS THE LICENSED SCHOOL MENTAL HEALTH
15	PROFESSIONAL LOAN REPAYMENT PROGRAM, CREATED PURSUANT TO
16	SECTION 23-3.6-302 (1).
17	(4) "QUALIFIED LOAN" MEANS AN EDUCATION LOAN INCURRED
18	WHILE EARNING A MASTER'S DEGREE OR DOCTORATE IN A PROGRAM THAT
19	QUALIFIES A PERSON TO BE A SCHOOL MENTAL HEALTH PROFESSIONAL.
20	(5) "SCHOOL COUNSELOR" MEANS A PERSON WHO HAS A SPECIAL

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1	SERVICES PROVIDER LICENSE ISSUED PURSUANT TO ARTICLE $60.5$ OF TITLE
2	22 WITH A SCHOOL COUNSELOR ENDORSEMENT, INCLUDING THE
3	COMPLETION OF COURSE WORK IN THE AREAS OF ACADEMIC AND
4	SOCIAL-EMOTIONAL DEVELOPMENT; ASSESSMENT FOR SOCIAL AND
5	EMOTIONAL CONCERNS, INCLUDING SUICIDE PREVENTION AND
6	INTERVENTION; CRISIS INTERVENTION; SOCIAL-EMOTIONAL DEVELOPMENT
7	PROGRAMS, INCLUDING CHARACTER EDUCATION AND VIOLENCE
8	PREVENTION; MENTAL HEALTH; PROTECTIVE FACTORS FOR AT-RISK

(6) "SCHOOL MENTAL HEALTH PROFESSIONAL" MEANS A SCHOOL COUNSELOR, SCHOOL PSYCHOLOGIST, OR SCHOOL SOCIAL WORKER.

STUDENTS; AND CAREER AWARENESS, EXPLORATION, AND PLANNING.

- (7) "SCHOOL MENTAL HEALTH PROFESSIONAL OPPORTUNITY ENTITY" MEANS A COLORADO SCHOOL DISTRICT, BOARD OF COOPERATIVE SERVICES, DISTRICT CHARTER SCHOOL, OR INSTITUTE CHARTER SCHOOL THAT EMPLOYS OR CONTRACTS WITH NOT MORE THAN ONE SCHOOL MENTAL HEALTH PROFESSIONAL, OR EMPLOYS OR CONTRACTS WITH FEWER THAN ONE SCHOOL MENTAL HEALTH PROFESSIONAL PER FIVE HUNDRED STUDENTS.
  - (8) "SCHOOL PSYCHOLOGIST" MEANS A PERSON WHO HAS A SPECIAL SERVICES PROVIDER LICENSE ISSUED PURSUANT TO ARTICLE 60.5 OF TITLE 22 WITH A SCHOOL PSYCHOLOGIST ENDORSEMENT.
  - (9) "SCHOOL SOCIAL WORKER" MEANS A PERSON WHO HAS A SPECIAL SERVICES PROVIDER LICENSE ISSUED PURSUANT TO ARTICLE 60.5 OF TITLE 22 WITH AN ENDORSEMENT IN SCHOOL SOCIAL WORK, INCLUDING THE COMPLETION OF COURSE WORK IN THE AREAS OF SCHOOL AND SPECIAL EDUCATION LAW, FUNCTIONAL BEHAVIOR ASSESSMENT, AND THE DEVELOPMENT OF BEHAVIOR INTERVENTION PLANS.

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1	23-3.6-302. Licensed school mental health professional loan
2	repayment program - fund - creation - administration - eligibility -
3	policies. (1) There is created in the department of higher
4	EDUCATION THE LICENSED SCHOOL MENTAL HEALTH PROFESSIONAL LOAN
5	REPAYMENT PROGRAM, BEGINNING IN THE 2024-25 ACADEMIC YEAR. THE
6	PURPOSE OF THE PROGRAM IS TO ASSIST WITH THE REPAYMENT OF AN
7	OUTSTANDING BALANCE ON A QUALIFIED LOAN INCURRED BY AN ELIGIBLE
8	SCHOOL MENTAL HEALTH PROFESSIONAL.
9	(2) (a) There is created in the state treasury the licensed
10	SCHOOL MENTAL HEALTH PROFESSIONAL LOAN REPAYMENT PROGRAM
11	FUND. THE FUND CONSISTS OF MONEY APPROPRIATED BY THE GENERAL
12	ASSEMBLY TO THE FUND AND ANY GIFTS, GRANTS, OR DONATIONS
13	RECEIVED FOR THE PROGRAM. MONEY IN THE FUND IS ANNUALLY
14	APPROPRIATED TO THE COMMISSION FOR THE PROGRAM. MONEY IN THE
15	FUND MUST BE USED ONLY FOR THE REPAYMENT OF QUALIFIED LOANS. ALL
16	INTEREST AND INCOME DERIVED FROM THE INVESTMENT AND DEPOSIT OF
17	MONEY IN THE FUND IS CREDITED TO THE FUND. AT THE END OF ANY
18	FISCAL YEAR, ALL UNEXPENDED AND UNENCUMBERED MONEY IN THE FUND
19	REMAINS IN THE FUND AND IS NOT CREDITED OR TRANSFERRED TO THE
20	GENERAL FUND OR ANY OTHER FUND.
21	(b) THE COMMISSION MAY SEEK, ACCEPT, AND EXPEND GIFTS,
22	GRANTS, OR DONATIONS FOR THE PROGRAM. THE COMMISSION SHALL
23	TRANSMIT ANY MONEY RECEIVED THROUGH GIFTS, GRANTS, OR
24	DONATIONS TO THE STATE TREASURER, WHO SHALL CREDIT THE MONEY TO
25	THE FUND.
26	(c) THE COMMISSION SHALL ADOPT POLICIES THAT ENSURE THAT
27	MONEY IN THE FUND IS USED FOR THE REPAYMENT OF A QUALIFIED LOAN

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1	FOR AN ELIGIBLE SCHOOL MENTAL HEALTH PROFESSIONAL.
2	(3) (a) SUBJECT TO AVAILABLE APPROPRIATIONS AND MONEY
3	AVAILABLE IN THE FUND, THE COMMISSION SHALL ANNUALLY REVIEW
4	APPLICATIONS AND GRANT LOAN REPAYMENT FOR ELIGIBLE SCHOOL
5	MENTAL HEALTH PROFESSIONALS.
6	(b) IF MORE ELIGIBLE SCHOOL MENTAL HEALTH PROFESSIONALS
7	APPLY FOR LOAN REPAYMENT THAN MAY BE GRANTED BECAUSE OF THE
8	MONEY AVAILABLE IN THE FUND, THE COMMISSION SHALL:
9	(I) FIRST, GRANT LOAN REPAYMENT TO ELIGIBLE SCHOOL MENTAL
10	HEALTH PROFESSIONALS WHO ARE THE ONLY SCHOOL MENTAL HEALTH
11	PROFESSIONALS EMPLOYED BY OR UNDER CONTRACT WITH A SCHOOL
12	MENTAL HEALTH PROFESSIONAL OPPORTUNITY ENTITY IN PROPORTION TO
13	THE AMOUNT AVAILABLE FOR LOAN REPAYMENT; AND
14	(II) SECOND, GRANT LOAN REPAYMENT FOR ELIGIBLE SCHOOL
15	MENTAL HEALTH PROFESSIONALS WHO ARE EMPLOYED BY OR CONTRACT
16	WITH A SCHOOL MENTAL HEALTH PROFESSIONAL OPPORTUNITY ENTITY
17	THAT EMPLOYS OR CONTRACTS WITH MORE THAN ONE SCHOOL MENTAL
18	HEALTH PROFESSIONAL BUT EMPLOYS OR CONTRACTS WITH FEWER THAN
19	ONE SCHOOL MENTAL HEALTH PROFESSIONAL PER FIVE HUNDRED
20	STUDENTS IN PROPORTION TO THE AMOUNT AVAILABLE FOR LOAN
21	REPAYMENT.
22	(c) IN GRANTING LOAN REPAYMENT FOR EACH GROUP DESCRIBED
23	IN SUBSECTIONS (3)(b)(I) AND (3)(b)(II) OF THIS SECTION, THE
24	COMMISSION SHALL PRIORITIZE GRANTING LOAN REPAYMENT TO AN
25	ELIGIBLE SCHOOL MENTAL HEALTH PROFESSIONAL WHO HAS BEEN
26	EMPLOYED BY A SCHOOL MENTAL HEALTH PROFESSIONAL OPPORTUNITY
27	ENTITY FOR THE LONGEST AMOUNT OF TIME.

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1	(4) TO BE AN ELIGIBLE SCHOOL MENTAL HEALTH PROFESSIONAL
2	WHO QUALIFIES FOR LOAN REPAYMENT PURSUANT TO THE PROGRAM, A
3	PERSON MUST:
4	(a) BE A SCHOOL MENTAL HEALTH PROFESSIONAL;
5	(b) HAVE A MASTER'S DEGREE OR DOCTORATE IN A PROGRAM THAT
6	QUALIFIES A PERSON TO BE A SCHOOL MENTAL HEALTH PROFESSIONAL;
7	(c) BE A FULL-TIME EMPLOYEE OF, OR UNDER CONTRACT TO
8	PROVIDE FULL-TIME SERVICES FOR, A SCHOOL MENTAL HEALTH
9	PROFESSIONAL OPPORTUNITY ENTITY. THE APPLICANT MUST PROVIDE
10	SCHOOL MENTAL HEALTH PROFESSIONAL SERVICES FULL-TIME OR MAY
11	PROVIDE SCHOOL MENTAL HEALTH PROFESSIONAL SERVICES AS A
12	PART-TIME DUTY IN ADDITION TO OTHER DUTIES THAT CONSTITUTE
13	FULL-TIME EMPLOYMENT OR CONTRACTOR STATUS WITH THE SCHOOL
14	MENTAL HEALTH PROFESSIONAL OPPORTUNITY ENTITY.
15	(d) BE LIABLE FOR AN OUTSTANDING BALANCE ON A QUALIFIED
16	LOAN;
17	(e) AGREE TO PRACTICE IN AN ELIGIBLE SCHOOL MENTAL HEALTH
18	PROFESSIONAL POSITION IN A SCHOOL MENTAL HEALTH PROFESSIONAL
19	OPPORTUNITY ENTITY FOR A PERIOD OF NOT LESS THAN THREE
20	CONSECUTIVE ACADEMIC YEARS FOLLOWING THE RECEIPT OF ANY LOAN
21	REPAYMENT PURSUANT TO THE PROGRAM;
22	(f) AGREE THAT IF THE SCHOOL MENTAL HEALTH PROFESSIONAL
23	LEAVES THE POSITION PRIOR TO SATISFYING THE REQUIREMENT PURSUANT
24	TO SUBSECTION (4)(e) OF THIS SECTION, THE SCHOOL MENTAL HEALTH
25	PROFESSIONAL WILL BE LIABLE FOR THE AMOUNT OF THE QUALIFIED LOAN
26	FORGIVEN THROUGH THE PROGRAM; AND
27	(g) SATISFY ANY APPLICATION, VERIFICATION, OR PROCEDURAL

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- 1 REQUIREMENTS ADOPTED BY COMMISSION POLICY.
- 2 (5) AN ELIGIBLE SCHOOL MENTAL HEALTH PROFESSIONAL MAY BE
- 3 GRANTED AN ANNUAL AMOUNT DETERMINED BY COMMISSION POLICY,
- 4 SUBJECT TO AVAILABLE APPROPRIATIONS AND MONEY IN THE FUND, IN
- 5 LOAN REPAYMENT FOR EACH ACADEMIC YEAR THAT THE SCHOOL MENTAL
- 6 HEALTH PROFESSIONAL IS ELIGIBLE PURSUANT TO THIS PART 3, FOR NO
- 7 MORE THAN THREE YEARS: EXCEPT THAT AN ELIGIBLE SCHOOL MENTAL
- 8 HEALTH PROFESSIONAL MUST NOT RECEIVE MONEY IN EXCESS OF THE
- 9 OUTSTANDING BALANCE ON A QUALIFIED LOAN AND NOT TO EXCEED TEN
- 10 THOUSAND DOLLARS.
- 11 (6) NOTWITHSTANDING ELIGIBILITY REQUIREMENTS TO THE
- 12 CONTRARY, IF A PERSON IS AN ELIGIBLE SCHOOL MENTAL HEALTH
- 13 PROFESSIONAL AT THE TIME OF THE INITIAL AWARD AND IN A SUBSEQUENT
- 14 ACADEMIC YEAR THE COLORADO SCHOOL DISTRICT, BOARD OF
- 15 COOPERATIVE SERVICES, DISTRICT CHARTER SCHOOL, OR INSTITUTE
- 16 CHARTER SCHOOL NO LONGER SATISFIES THE DEFINITION OF A SCHOOL
- 17 MENTAL HEALTH PROFESSIONAL OPPORTUNITY ENTITY AS DEFINED
- 18 PURSUANT TO SECTION 23-3.6-301, THE SCHOOL MENTAL HEALTH
- 19 PROFESSIONAL MAINTAINS ELIGIBILITY FOR LOAN REPAYMENT IF ALL
- 20 OTHER ELIGIBILITY REQUIREMENTS ARE SATISFIED.
- 21 (7) In addition to the policies required to be adopted
- 22 PURSUANT TO THIS PART 3, THE COMMISSION MAY ADOPT POLICIES
- NECESSARY FOR THE ADMINISTRATION OF THE PROGRAM, INCLUDING
- PROCEDURES TO RECLAIM AN AMOUNT OF A QUALIFIED LOAN FORGIVEN
- 25 THROUGH THE PROGRAM FROM A SCHOOL MENTAL HEALTH PROFESSIONAL
- WHO LEFT A POSITION PRIOR TO SATISFYING THE REQUIREMENT PURSUANT
- TO SUBSECTION (4)(e) OF THIS SECTION.

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1	<b>23-3.0-303. Report.</b> (1) ON OR BEFORE OCTOBER 31, 2023, AND
2	ON OR BEFORE EACH OCTOBER 31 THEREAFTER, THE COMMISSION SHALL
3	SUBMIT A REPORT TO THE EDUCATION COMMITTEES OF THE SENATE AND
4	THE HOUSE OF REPRESENTATIVES, OR ANY SUCCESSOR COMMITTEES,
5	CONCERNING THE PROGRAM DURING THE PRECEDING ACADEMIC YEAR.
6	THE REPORT MUST INCLUDE:
7	(a) THE NUMBER OF PROGRAM PARTICIPANTS;
8	(b) THE AMOUNT OF FUNDS APPLIED TOWARD LOAN REPAYMENT
9	AND THE SOURCES OF THOSE FUNDS; AND
10	(c) THE RATIO OF SCHOOL MENTAL HEALTH PROFESSIONALS PER
11	TOTAL NUMBER OF STUDENTS IN THE SCHOOL MENTAL HEALTH
12	PROFESSIONAL OPPORTUNITY ENTITY THAT EMPLOYS OR CONTRACTS WITH
13	AN ELIGIBLE SCHOOL MENTAL HEALTH PROFESSIONAL WHO RECEIVES AN
14	AWARD. THE REPORT MUST ALSO INCLUDE THE RATIO FOR THE SCHOOL
15	YEAR PRIOR TO THE ELIGIBLE SCHOOL MENTAL HEALTH PROFESSIONAL'S
16	AWARD.
17	(2) NOTWITHSTANDING THE REQUIREMENT IN SECTION 24-1-136
18	(11)(a)(I), THE REQUIREMENT TO SUBMIT THE REPORT REQUIRED IN
19	SUBSECTION (1) OF THIS SECTION CONTINUES INDEFINITELY.
20	<b>23-3.6-304. Repeal.</b> This part 3 is repealed, effective July 1,
21	2029.
22	SECTION 2. Act subject to petition - effective date. This act
23	takes effect at 12:01 a.m. on the day following the expiration of the
24	ninety-day period after final adjournment of the general assembly; except
25	that, if a referendum petition is filed pursuant to section 1 (3) of article V
26	of the state constitution against this act or an item, section, or part of this
27	act within such period, then the act, item, section, or part will not take

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- 1 effect unless approved by the people at the general election to be held in
- November 2024 and, in such case, will take effect on the date of the
- 3 official declaration of the vote thereon by the governor.