

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

**REVISED**

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

LLS NO. 24-0869.01 Jacob Baus x2173

**HOUSE BILL 24-1331**

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**A BILL FOR AN ACT**

101      **CONCERNING THE CREATION OF A GRANT PROGRAM FOR ELIGIBLE**  
102              **NONPROFIT ORGANIZATIONS TO PROVIDE OUT-OF-SCHOOL TIME**  
103              **PROGRAMS TO STUDENTS, AND, IN CONNECTION THEREWITH,**  
104              **MAKING AN APPROPRIATION.**

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**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>.)*

The bill creates the out-of-school time program grant program (grant program) to provide grants to eligible 501 (c)(3) nonprofit organizations to provide academic enrichment and related services to

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

SENATE  
2nd Reading Unamended  
May 1, 2024

HOUSE  
3rd Reading Unamended  
April 22, 2024

HOUSE  
Amended 2nd Reading  
April 20, 2024



1           (1) "ACADEMIC ENRICHMENT" MEANS SUPPLEMENTARY  
2 PROGRAMMING AND SERVICES DESIGNED TO IMPROVE OR ENHANCE A  
3 STUDENT'S ACADEMIC SUCCESS IN READING, LANGUAGE ARTS,  
4 MATHEMATICS, AND SCIENCE.

5           (2) "AFFORDABLE" MEANS AVAILABLE TO STUDENTS AT A RATE  
6 DETERMINED BY A SCALE BASED ON THE STUDENT'S HOUSEHOLD INCOME.  
7 THE SCALE MAY RANGE FROM NO COST TO NO MORE THAN ONE HUNDRED  
8 DOLLARS PER FISCAL YEAR PER STUDENT.

9           (3) "COMPREHENSIVE" MEANS AVAILABLE TO STUDENTS, AT A  
10 MINIMUM:

11           (a) FOUR DAYS PER CALENDAR WEEK DURING THE SCHOOL YEAR,  
12 TOTALING NO LESS THAN TEN HOURS DURING THE CALENDAR WEEK,  
13 EXCEPT DURING A WINTER SEASONAL BREAK; AND

14           (b) NO LESS THAN AN AVERAGE OF TWENTY-FIVE HOURS PER  
15 CALENDAR WEEK DURING THE SUMMER SEASONAL BREAK.

16           (4) "DEPARTMENT" MEANS THE DEPARTMENT OF EDUCATION  
17 CREATED AND EXISTING PURSUANT TO SECTION 24-1-115.

18           (5) "ELIGIBLE ENTITY" MEANS AN ENTITY THAT MEETS THE  
19 ELIGIBILITY CRITERIA SET FORTH IN SECTION 22-105.5-105.

20           (6) "GRANT PROGRAM" MEANS THE OUT-OF-SCHOOL TIME  
21 PROGRAM GRANT PROGRAM CREATED PURSUANT TO SECTION  
22 22-105.5-104.

23           (7) "OUT-OF-SCHOOL TIME PROGRAM" MEANS A PROGRAM THAT:

24           (a) IS AVAILABLE TO STUDENTS WHO ARE ENROLLED IN A PUBLIC  
25 SCHOOL IN KINDERGARTEN THROUGH TWELFTH GRADE; AND

26           (b) PROVIDES AFFORDABLE AND COMPREHENSIVE ACADEMIC  
27 ENRICHMENT AND RELATED SERVICES DURING TIMES WHEN SCHOOL IS NOT

1 IN SESSION, INCLUDING BEFORE SCHOOL, AFTER SCHOOL, SEASONAL  
2 BREAKS, STAFF IN-SERVICE DAYS, STAFF CONFERENCE DAYS, OR THE FIFTH  
3 DAY OF THE WEEK IF THE PROGRAM SERVES STUDENTS WHO ARE ENROLLED  
4 IN A PUBLIC SCHOOL THAT OPERATES ON A FOUR-DAY WEEK.

5 (8) "STATE BOARD OF EDUCATION" OR "STATE BOARD" MEANS THE  
6 STATE BOARD OF EDUCATION CREATED AND EXISTING PURSUANT TO  
7 SECTION 1 OF ARTICLE IX OF THE STATE CONSTITUTION.

8 **22-105.5-104. Out-of-school time program grant program -**  
9 **created - use of grants - funding - rules - repeal.** (1) THERE IS CREATED  
10 IN THE DEPARTMENT THE OUT-OF-SCHOOL TIME PROGRAM GRANT  
11 PROGRAM TO PROVIDE GRANTS TO ELIGIBLE ENTITIES THAT PROVIDE  
12 OUT-OF-SCHOOL TIME PROGRAMS THAT ARE AFFORDABLE AND  
13 COMPREHENSIVE TO STUDENTS WHO ARE ENROLLED IN A PUBLIC SCHOOL.

14 (2) A GRANT RECIPIENT SHALL USE MONEY RECEIVED THROUGH  
15 THE GRANT PROGRAM TO IMPLEMENT THE FOLLOWING, WHICH MUST BE  
16 EVIDENCE-INFORMED AND HIGH-QUALITY:

17 (a) ACADEMIC ENRICHMENT;

18 (b) OPPORTUNITIES FOR DEVELOPMENT IN LITERACY, SCIENCE,  
19 TECHNOLOGY, ENGINEERING, MATHEMATICS, AND OTHER SUBJECT  
20 MATTERS FOR STUDENTS AND FAMILIES;

21 (c) A SAFE LEARNING ENVIRONMENT AND RESOURCES TO INCREASE  
22 STUDENT ENGAGEMENT IN SCHOOL AND REDUCE CHRONIC ABSENTEEISM;

23 (d) PROGRAMS AND SERVICES THAT PROVIDE A WELL-ROUNDED  
24 EDUCATION AND ARE DESIGNED TO REINFORCE AND COMPLEMENT  
25 SCHOOL-BASED ACADEMIC PROGRAMS, INCLUDING YOUTH DEVELOPMENT  
26 ACTIVITIES, ART, MUSIC, OUTDOOR PROGRAMS, RECREATIONAL PROGRAMS,  
27 TECHNOLOGY EDUCATION PROGRAMS, PHYSICAL HEALTH ACTIVITIES, AND

1 SOCIAL AND EMOTIONAL WELLNESS SERVICES; AND

2 (e) OPPORTUNITIES TO DEVELOP MEANINGFUL WORKFORCE  
3 READINESS AND LIFE SKILLS.

4 (3) (a) THE DEPARTMENT SHALL ADMINISTER THE GRANT  
5 PROGRAM.

6 (b) SUBJECT TO AVAILABLE APPROPRIATIONS, THE STATE BOARD  
7 SHALL AWARD GRANTS AS PROVIDED IN SECTION 22-105.5-105.

8 (c) (I) FOR THE 2024-25, 2025-26, AND 2026-27 STATE FISCAL  
9 YEARS, THE GENERAL ASSEMBLY SHALL APPROPRIATE THREE MILLION FIVE  
10 HUNDRED THOUSAND DOLLARS IN EACH STATE FISCAL YEAR FROM THE  
11 GENERAL FUND TO THE DEPARTMENT FOR PURPOSES OF THIS SECTION.

12 (II) THIS SUBSECTION (3)(c) IS REPEALED, EFFECTIVE JULY 1, 2029.

13 (4) THE DEPARTMENT SHALL IMPLEMENT THE GRANT PROGRAM IN  
14 ACCORDANCE WITH THIS ARTICLE 105.5. THE STATE BOARD MAY  
15 PROMULGATE RULES AS MAY BE NECESSARY TO IMPLEMENT THE GRANT  
16 PROGRAM, WHICH MAY INCLUDE RULES THAT SPECIFY THE TIME FRAMES  
17 FOR APPLYING FOR GRANTS AND THE FORM OF THE APPLICATION, THE TIME  
18 FRAMES FOR DISTRIBUTING GRANT MONEY, AND THE AMOUNT OF THE  
19 GRANT BASED ON THE NUMBER OF STUDENTS SERVED AND AVAILABLE  
20 MONEY, INCLUDING CIRCUMSTANCES WHEN A RECIPIENT RECEIVES  
21 ADDITIONAL MONEY.

22 **22-105.5-105. Grant program eligibility - application - criteria**  
23 **- awards.** (1) TO BE ELIGIBLE TO RECEIVE A GRANT, AN ENTITY:

24 (a) MUST BE A NONPROFIT ORGANIZATION THAT IS EXEMPT FROM  
25 TAXATION PURSUANT TO SECTION 501 (c)(3) OF THE FEDERAL "INTERNAL  
26 REVENUE CODE OF 1986", AS AMENDED, WITH AT LEAST FIVE YEARS'  
27 EXPERIENCE PROVIDING AFFORDABLE AND COMPREHENSIVE ACADEMIC

1 ENRICHMENT AND RELATED SERVICES TO STUDENTS IN THE STATE; AND

2 (b) MAY, BUT IS NOT REQUIRED TO, HAVE A PARTNERSHIP WITH A  
3 SCHOOL DISTRICT IN WHICH THE ENTITY WILL PROVIDE AFFORDABLE AND  
4 COMPREHENSIVE ACADEMIC ENRICHMENT AND RELATED SERVICES TO  
5 STUDENTS.

6 (2) TO RECEIVE A GRANT, AN ELIGIBLE ENTITY MUST SUBMIT AN  
7 APPLICATION TO THE DEPARTMENT. AT A MINIMUM, THE APPLICATION  
8 MUST INCLUDE THE FOLLOWING:

9 (a) EVIDENCE THAT THE ENTITY MEETS THE ELIGIBILITY  
10 REQUIREMENTS DESCRIBED IN SUBSECTION (1) OF THIS SECTION;

11 (b) EVIDENCE OF THE ENTITY'S EXPERIENCE AND ABILITY TO  
12 PROVIDE AFFORDABLE AND COMPREHENSIVE ACADEMIC ENRICHMENT AND  
13 RELATED SERVICES;

14 (c) INFORMATION CONCERNING HOW THE ENTITY WILL PROVIDE  
15 ACADEMIC ENRICHMENT AND RELATED SERVICES, INCLUDING A SPECIFIC  
16 PLAN TO PROVIDE ADDITIONAL PROGRAMMING AND SERVICES IN SCIENCE  
17 OR SCIENCE, TECHNOLOGY, ENGINEERING, AND MATHEMATICS, TO  
18 STUDENTS ACCORDING TO STUDENTS' DEMONSTRATED NEEDS IN ORDER TO  
19 IMPROVE ACADEMIC SUCCESS AND OUTCOMES; AND

20 (d) INFORMATION CONCERNING THE STUDENTS THAT THE ELIGIBLE  
21 ENTITY CURRENTLY SERVES, OR WILL BE ABLE TO SERVE, AS DESCRIBED IN  
22 SUBSECTION (3)(b) OF THIS SECTION.

23 (3) (a) THE DEPARTMENT SHALL REVIEW THE APPLICATIONS  
24 RECEIVED PURSUANT TO THIS SECTION TO DETERMINE ELIGIBILITY FOR THE  
25 GRANT PROGRAM, AND, SUBJECT TO AVAILABLE APPROPRIATIONS, THE  
26 STATE BOARD SHALL AWARD GRANTS TO ELIGIBLE ENTITIES.

27 (b) SUBJECT TO AVAILABLE APPROPRIATIONS, THE STATE BOARD

1 SHALL PRIORITIZE AWARDING GRANTS TO ELIGIBLE ENTITIES THAT:

2 (I) DEMONSTRATE THAT THE ENTITY CURRENTLY SERVES, OR WILL  
3 BE ABLE TO SERVE WITH THE GRANT AWARD, STUDENTS WHO ARE  
4 STRUGGLING IN SCHOOL AND IN NEED OF ACADEMIC ENRICHMENT;

5 (II) DEMONSTRATE EXPERIENCE IN PROVIDING ACADEMIC  
6 ENRICHMENT TO STUDENTS;

7 (III) CURRENTLY SERVE, OR WILL BE ABLE TO SERVE WITH THE  
8 GRANT AWARD, STUDENTS WHO QUALIFY FOR FREE OR REDUCED-PRICE  
9 MEALS PURSUANT TO THE FEDERAL "RICHARD B. RUSSELL NATIONAL  
10 SCHOOL LUNCH ACT", 42 U.S.C. SEC. 1751 ET SEQ.;

11 (IV) CURRENTLY SERVE, OR WILL BE ABLE TO SERVE WITH THE  
12 GRANT AWARD, STUDENTS WHO ARE ENGLISH LANGUAGE LEARNERS;

13 (V) HAVE A PRIMARY MISSION TO PROVIDE AN OUT-OF-SCHOOL  
14 TIME PROGRAM TO STUDENTS; AND

15 (VI) CURRENTLY SERVE, OR WILL BE ABLE TO SERVE WITH THE  
16 GRANT AWARD, STUDENTS AT NO COST IF THE STUDENT'S FAMILY IS  
17 UNABLE TO AFFORD THE PROGRAM BASED ON THE STUDENT'S HOUSEHOLD  
18 INCOME.

19 (c) THE STATE BOARD SHALL AWARD GRANTS TO ELIGIBLE  
20 ENTITIES FOR A PERIOD DETERMINED BY THE STATE BOARD. THE STATE  
21 BOARD SHALL DETERMINE THE AMOUNT OF THE GRANTS BASED ON THE  
22 NUMBER OF STUDENTS SERVED IN THE OUT-OF-SCHOOL TIME PROGRAM.

23 **22-105.5-106. Reporting requirements.** (1) ON OR BEFORE  
24 JULY 1, 2025, AND ON OR BEFORE JULY 1 EACH YEAR THEREAFTER IN  
25 WHICH A GRANT IS AWARDED, EACH GRANTEE SHALL SUBMIT A REPORT TO  
26 THE DEPARTMENT. AT A MINIMUM, THE REPORT MUST INCLUDE THE  
27 FOLLOWING INFORMATION:

1 (a) THE UNIQUE STUDENT IDENTIFIER THAT IS ASSIGNED PURSUANT  
2 TO SECTION 22-16-105 (1) OR THE NAME, DATE OF BIRTH, AND ENROLLED  
3 SCHOOL FOR EACH STUDENT WHO PARTICIPATES OR PARTICIPATED IN THE  
4 OUT-OF-SCHOOL TIME PROGRAM DURING THE PRECEDING YEAR;

5 (b) THE TOTAL NUMBER OF HOURS FOR EACH STUDENT WHO  
6 PARTICIPATES OR PARTICIPATED IN THE OUT-OF-SCHOOL TIME PROGRAM  
7 DURING THE PRECEDING YEAR;

8 (c) A DETAILED DESCRIPTION OF HOW AND WHEN THE GRANT  
9 RECIPIENT USED THE GRANT AWARD, INCLUDING BEFORE SCHOOL, AFTER  
10 SCHOOL, SEASONAL BREAKS, STAFF IN-SERVICE DAYS, STAFF CONFERENCE  
11 DAYS, OR THE FIFTH DAY OF THE WEEK IF THE PROGRAM SERVES STUDENTS  
12 WHO ARE ENROLLED IN A PUBLIC SCHOOL THAT OPERATES ON A FOUR-DAY  
13 WEEK;

14 (d) MEASURES OF PERFORMANCE, INCLUDING STUDENT  
15 ATTENDANCE; EARNED ON-TIME GRADE LEVEL PROMOTION; EVIDENCE OF  
16 INCREASED FAMILY ENGAGEMENT IN THE STUDENT'S EDUCATION;  
17 EVIDENCE OF INCREASED ENGAGEMENT IN SCHOOL, INCLUDING  
18 ASSIGNMENT COMPLETION; AND IMPROVED SOCIAL AND EMOTIONAL  
19 SKILLS; AND

20 (e) EVIDENCE OF STUDENT ACADEMIC ACHIEVEMENT, IN READING,  
21 LANGUAGE ARTS, MATHEMATICS, AND SCIENCE.

22 (2) AN ELIGIBLE ENTITY THAT RECEIVES A GRANT FROM THE  
23 GRANT PROGRAM MAY ENTER INTO A DATA-SHARING AGREEMENT WITH  
24 THE DEPARTMENT, SCHOOL DISTRICT, OR A SCHOOL TO COLLECT DATA  
25 RELEVANT FOR THE REPORTING REQUIREMENTS PURSUANT TO THIS  
26 SECTION.

27 (3) THE DEPARTMENT SHALL NOT CONTINUE TO PROVIDE GRANT



1 FUNDING TO THE GRANT RECIPIENT UNLESS THE GRANT RECIPIENT  
2 COMPLIES WITH THE REPORTING REQUIREMENTS PURSUANT TO THIS  
3 SECTION.

4 (4) THE DEPARTMENT SHALL CONDUCT A THOROUGH EVALUATION  
5 OF THE GRANT PROGRAM, INCLUDING, AT A MINIMUM, ACADEMIC  
6 OUTCOMES, ATTENDANCE OUTCOMES, AND OTHER OUTCOME DATA  
7 PROVIDED BY GRANTEEES PURSUANT TO THIS SECTION. IN CONDUCTING THE  
8 EVALUATION, THE DEPARTMENT SHALL USE STUDENT-LEVEL DATA ON THE  
9 ACADEMIC PERFORMANCE INDICATORS, INCLUDING, AT A MINIMUM, STATE  
10 ASSESSMENT PERFORMANCE SCORES, ATTENDANCE DATA, AND OTHER  
11 DATA AS NECESSARY.

12 (5) ON OR BEFORE MARCH 31, 2026, AND ON OR BEFORE MARCH  
13 31 EACH YEAR THEREAFTER FOR THE DURATION OF THE GRANT PROGRAM,  
14 THE DEPARTMENT SHALL SUBMIT A SUMMARIZED REPORT OF INFORMATION  
15 PROVIDED BY THE ELIGIBLE ENTITIES THAT RECEIVED A GRANT TO THE  
16 EDUCATION COMMITTEES OF THE SENATE AND THE HOUSE OF  
17 REPRESENTATIVES, OR ANY SUCCESSOR COMMITTEES.

18 (6) THE ELIGIBLE ENTITY AND THE DEPARTMENT, SCHOOL  
19 DISTRICT, OR SCHOOL THAT SHARES DATA PURSUANT TO SUBSECTION (2)  
20 OF THIS SECTION, AND THE DEPARTMENT IN PRODUCING THE REPORT  
21 PURSUANT TO SUBSECTION (5) OF THIS SECTION, SHALL COMPLY WITH ALL  
22 FEDERAL AND STATE LAWS REGARDING THE PROTECTION OF STUDENT  
23 DATA, INCLUDING THE FEDERAL "FAMILY EDUCATIONAL RIGHTS AND  
24 PRIVACY ACT OF 1974", 20 U.S.C. 1232g, AS AMENDED, AND THE  
25 "STUDENT DATA TRANSPARENCY AND SECURITY ACT", ARTICLE 16 OF  
26 THIS TITLE 22.

27 (7) NOTWITHSTANDING SECTION 24-1-136 (11)(a)(I), THE

1 REPORTING REQUIREMENTS SET FORTH IN THIS SECTION CONTINUE  
2 INDEFINITELY.

3 **SECTION 2. Appropriation.** For the 2024-25 state fiscal year,  
4 \$3,500,000 is appropriated to the department of education. This  
5 appropriation is from the general fund. To implement this act, the  
6 department may use this appropriation as follows:

7 (a) \$57,031 for use by management and administration for grants  
8 administration, which amount is based on an assumption that the division  
9 will require an additional 0.6 FTE;

10 (b) \$26,520 for use by management and administration for  
11 information technology services; and

12 (c) \$3,416,449 for use by student pathways for the out-of-school  
13 time grant program, which amount is based on an assumption that the  
14 division will require an additional 1.3 FTE.

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