

Second Regular Session
Seventy-third General Assembly
STATE OF COLORADO

DRAFT
9.27.21

BILL 2

LLS NO. 22-0118.01 Conrad Imel x2313

INTERIM COMMITTEE BILL

Colorado Youth Advisory Council Review Committee

BILL TOPIC: "Higher Education Support For Foster Youth"

A BILL FOR AN ACT

101 **CONCERNING POSTSECONDARY EDUCATION SUPPORT FOR CERTAIN**
102 **STUDENTS WHO HAVE BEEN IN OUT-OF-HOME PLACEMENT.**

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 after reaching the age of 13 (qualifying students). The institutions are

*Capital letters or bold & italic numbers indicate new material to be added to existing statute.
Dashes through the words indicate deletions from existing statute.*

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** 23-5-148 as
3 follows:

4 **23-5-148. Tuition waivers for students who have been in**
5 **out-of-home placement - higher education liaison - definitions.** (1) As
6 USED IN THIS SECTION, UNLESS THE CONTEXT OTHERWISE REQUIRES:

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

11 (b) "INSTITUTION OF HIGHER EDUCATION" OR "INSTITUTION"
12 MEANS A STATE INSTITUTION OF HIGHER EDUCATION, AS DEFINED IN
13 SECTION 23-18-102 (10)(a); LOCAL DISTRICT COLLEGE, AS DEFINED IN
14 SECTION 23-71-102; OR AREA TECHNICAL COLLEGE, AS DEFINED IN
15 SECTION 23-60-103.

16 (c) "QUALIFYING STUDENT" MEANS A RESIDENT OF COLORADO
17 WHO HAS BEEN ACCEPTED FOR ENROLLMENT AT AN INSTITUTION OF
18 HIGHER EDUCATION WHO:

19 (I) HAS BEEN PLACED IN FOSTER CARE, AS DEFINED IN SECTION
20 19-1-103, IN COLORADO AT ANY TIME ON OR AFTER THE STUDENT'S
21 THIRTEENTH BIRTHDAY; OR

22 (II) HAS BEEN IN NONCERTIFIED KINSHIP CARE, AS DEFINED IN

1 SECTION 19-1-103, IN COLORADO AT ANY TIME ON OR AFTER THE
2 STUDENT'S THIRTEENTH BIRTHDAY AND WAS, AT ANY TIME, ADJUDICATED
3 NEGLECTED OR DEPENDENT PURSUANT TO ARTICLE 3 OF TITLE 19.

4 (2) (a) BEGINNING IN THE 2022-23 ACADEMIC YEAR, EACH
5 INSTITUTION OF HIGHER EDUCATION IN THE STATE MUST WAIVE ANY
6 TUITION COSTS, INCLUDING ANY MANDATORY FEES ASSOCIATED WITH
7 ATTENDANCE AT THE INSTITUTION, FOR A QUALIFYING STUDENT IN EXCESS
8 OF THE AMOUNT OF ANY PRIVATE, STATE, OR FEDERAL TUITION
9 ASSISTANCE RECEIVED BY THE QUALIFYING STUDENT. AN INSTITUTION IS
10 REQUIRED TO WAIVE TUITION AND FEES FOR AT LEAST ONE HUNDRED
11 THIRTY-TWO SEMESTER HOURS OR ONE HUNDRED NINETY-EIGHT QUARTER
12 HOURS.

13 (b) IN ORDER TO RECEIVE A TUITION WAIVER, THE QUALIFYING
14 STUDENT MUST:

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

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

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

23 (IV) REQUEST THE WAIVER IN ACCORDANCE WITH POLICIES SET
24 FORTH BY THE INSTITUTION; AND

25 (V) REMAIN IN SATISFACTORY ACADEMIC STANDING IN
26 ACCORDANCE WITH THE ACADEMIC POLICIES OF THE INSTITUTION AND BE
27 MAKING PROGRESS TOWARD COMPLETION OF THE REQUIREMENTS OF THE

1 EDUCATIONAL PROGRAM IN WHICH THE STUDENT IS ENROLLED.

2 (3) (a) EACH INSTITUTION SHALL DESIGNATE ONE EMPLOYEE AS A
3 LIAISON TO SERVE AS A DIRECT POINT OF CONTACT WITH THE INSTITUTION
4 FOR QUALIFYING STUDENTS AND PROSPECTIVE QUALIFYING STUDENTS.
5 THE LIAISON MAY HAVE OTHER DUTIES UNRELATED TO WORK AS THE
6 LIAISON, BUT THE LIAISON SHALL PRIORITIZE THE DUTIES DESCRIBED IN
7 THIS SUBSECTION (3).

8 (b) THE LIAISON SHALL WORK WITH SCHOOL DISTRICT AND STATE
9 CHARTER SCHOOL INSTITUTE CHILD WELFARE EDUCATION LIAISONS,
10 DESCRIBED IN SECTION 22-32-138 (2), TO IDENTIFY PROSPECTIVE
11 QUALIFYING STUDENTS.

12 (c) THE LIAISON SHALL PROVIDE QUALIFYING STUDENTS,
13 PROSPECTIVE QUALIFYING STUDENTS, AND SCHOOL DISTRICT AND STATE
14 CHARTER SCHOOL INSTITUTE CHILD WELFARE EDUCATION LIAISONS WITH
15 INFORMATION REGARDING APPLICATION ASSISTANCE, TUITION WAIVERS,
16 SUPPORT SERVICES, AND OTHER RESOURCES AND ASSISTANCE AVAILABLE
17 TO QUALIFYING STUDENTS AND PROSPECTIVE QUALIFYING STUDENTS.

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

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

1 facilitate the prompt and appropriate placement, transfer, and enrollment
2 in school of students in out-of-home placement within the school district
3 or who are enrolled or enrolling in institute charter schools. The child
4 welfare education liaison's specific duties include but need not be limited
5 to:

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

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

15 (VII) PROVIDING STUDENTS IN OUT-OF-HOME PLACEMENT WITH
16 INFORMATION AND ASSISTANCE REGARDING THE TUITION WAIVER FOR
17 FOSTER YOUTH DESCRIBED IN SECTION 23-5-148.

18 **SECTION 3. Safety clause.** The general assembly hereby finds,
19 determines, and declares that this act is necessary for the immediate
20 preservation of the public peace, health, or safety.