

Second Regular Session  
Seventy-fourth General Assembly  
STATE OF COLORADO

DRAFT  
9/20/23

**BILL 5**

LLS NO. 24-0232.01 Jacob Baus x2173

**INTERIM COMMITTEE BILL**

**Colorado Youth Advisory Council Review Committee**

---

**BILL TOPIC:** School Mental Health Prof'l Loan Repayment Prog

---

**A BILL FOR AN ACT**

101 **CONCERNING THE CREATION OF A LOAN REPAYMENT PROGRAM FOR**  
102 **LICENSED SCHOOL MENTAL HEALTH PROFESSIONALS**  
103 **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 <http://leg.colorado.gov/>.)*

**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

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

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

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  
9 STUDENTS; AND CAREER AWARENESS, EXPLORATION, AND PLANNING.

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

12 (7) "SCHOOL MENTAL HEALTH PROFESSIONAL OPPORTUNITY  
13 ENTITY" MEANS A COLORADO SCHOOL DISTRICT, BOARD OF COOPERATIVE  
14 SERVICES, DISTRICT CHARTER SCHOOL, OR INSTITUTE CHARTER SCHOOL  
15 THAT EMPLOYS OR CONTRACTS WITH NOT MORE THAN ONE SCHOOL  
16 MENTAL HEALTH PROFESSIONAL, OR EMPLOYS OR CONTRACTS WITH FEWER  
17 THAN ONE SCHOOL MENTAL HEALTH PROFESSIONAL PER FIVE HUNDRED  
18 STUDENTS.

19 (8) "SCHOOL PSYCHOLOGIST" MEANS A PERSON WHO HAS A  
20 SPECIAL SERVICES PROVIDER LICENSE ISSUED PURSUANT TO ARTICLE 60.5  
21 OF TITLE 22 WITH A SCHOOL PSYCHOLOGIST ENDORSEMENT.

22 (9) "SCHOOL SOCIAL WORKER" MEANS A PERSON WHO HAS A  
23 SPECIAL SERVICES PROVIDER LICENSE ISSUED PURSUANT TO ARTICLE 60.5  
24 OF TITLE 22 WITH AN ENDORSEMENT IN SCHOOL SOCIAL WORK, INCLUDING  
25 THE COMPLETION OF COURSE WORK IN THE AREAS OF SCHOOL AND SPECIAL  
26 EDUCATION LAW, FUNCTIONAL BEHAVIOR ASSESSMENT, AND THE  
27 DEVELOPMENT OF BEHAVIOR INTERVENTION PLANS.

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

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.

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; AND

17           (e) SATISFY ANY APPLICATION, VERIFICATION, OR PROCEDURAL  
18 REQUIREMENTS ADOPTED BY COMMISSION POLICY.

19           (5) AN ELIGIBLE SCHOOL MENTAL HEALTH PROFESSIONAL MAY BE  
20 GRANTED AN ANNUAL AMOUNT DETERMINED BY COMMISSION POLICY,  
21 SUBJECT TO AVAILABLE APPROPRIATIONS AND MONEY IN THE FUND, IN  
22 LOAN REPAYMENT FOR EACH ACADEMIC YEAR THAT THE SCHOOL MENTAL  
23 HEALTH PROFESSIONAL IS ELIGIBLE PURSUANT TO THIS PART 3, FOR NO  
24 MORE THAN THREE YEARS; EXCEPT THAT AN ELIGIBLE SCHOOL MENTAL  
25 HEALTH PROFESSIONAL MUST NOT RECEIVE MONEY IN EXCESS OF THE  
26 OUTSTANDING BALANCE ON A QUALIFIED LOAN AND NOT TO EXCEED TEN  
27 THOUSAND DOLLARS.

1           (6) NOTWITHSTANDING ELIGIBILITY REQUIREMENTS TO THE  
2 CONTRARY, IF A PERSON IS AN ELIGIBLE SCHOOL MENTAL HEALTH  
3 PROFESSIONAL AT THE TIME OF THE INITIAL AWARD, AND IN A SUBSEQUENT  
4 ACADEMIC YEAR THE COLORADO SCHOOL DISTRICT, BOARD OF  
5 COOPERATIVE SERVICES, DISTRICT CHARTER SCHOOL, OR INSTITUTE  
6 CHARTER SCHOOL NO LONGER SATISFIES THE DEFINITION OF A SCHOOL  
7 MENTAL HEALTH PROFESSIONAL OPPORTUNITY ENTITY AS DEFINED  
8 PURSUANT TO SECTION 23-3.6-301, THE SCHOOL MENTAL HEALTH  
9 PROFESSIONAL MAINTAINS ELIGIBILITY FOR LOAN REPAYMENT IF ALL  
10 OTHER ELIGIBILITY REQUIREMENTS ARE SATISFIED.

11           (7) IN ADDITION TO THE POLICIES REQUIRED TO BE ADOPTED  
12 PURSUANT TO THIS PART 3, THE COMMISSION MAY ADOPT POLICIES  
13 NECESSARY FOR THE ADMINISTRATION OF THE PROGRAM.

14           **23-3.6-303. Report.** (1) ON OR BEFORE OCTOBER 31, 2025, AND  
15 ON OR BEFORE EACH OCTOBER 31 THEREAFTER, THE COMMISSION SHALL  
16 SUBMIT A REPORT TO THE EDUCATION COMMITTEES OF THE SENATE AND  
17 THE HOUSE OF REPRESENTATIVES, OR ANY SUCCESSOR COMMITTEES,  
18 CONCERNING THE PROGRAM DURING THE PRECEDING ACADEMIC YEAR.  
19 THE REPORT MUST INCLUDE:

- 20           (a) THE NUMBER OF PROGRAM PARTICIPANTS;
- 21           (b) THE AMOUNT OF FUNDS APPLIED TOWARD LOAN REPAYMENT  
22 AND THE SOURCES OF THOSE FUNDS; AND
- 23           (c) THE RATIO OF SCHOOL MENTAL HEALTH PROFESSIONALS PER  
24 TOTAL NUMBER OF STUDENTS IN THE SCHOOL MENTAL HEALTH  
25 PROFESSIONAL OPPORTUNITY ENTITY THAT EMPLOYS OR CONTRACTS WITH  
26 AN ELIGIBLE SCHOOL MENTAL HEALTH PROFESSIONAL WHO RECEIVES AN  
27 AWARD. THE REPORT MUST ALSO INCLUDE THE RATIO FOR THE SCHOOL

1 YEAR PRIOR TO THE ELIGIBLE SCHOOL MENTAL HEALTH PROFESSIONAL'S  
2 AWARD.

3 (2) NOTWITHSTANDING THE REQUIREMENT IN SECTION 24-1-136  
4 (11)(a)(I), THE REQUIREMENT TO SUBMIT THE REPORT REQUIRED IN  
5 SUBSECTION (1) OF THIS SECTION CONTINUES INDEFINITELY.

6 **23-3.6-304. Repeal.** THIS PART 3 IS REPEALED, EFFECTIVE JULY 1,  
7 2029.

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