

Second Regular Session
Seventy-fourth General Assembly
STATE OF COLORADO

BILL B

LLS NO. 24-0232.01 Jacob Baus x2173

HOUSE BILL

HOUSE SPONSORSHIP

Weinberg and Vigil,

SENATE SPONSORSHIP

Marchman and Winter F.,

House Committees

Senate Committees

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

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.

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 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;

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

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
23 NECESSARY FOR THE ADMINISTRATION OF THE PROGRAM, INCLUDING
24 PROCEDURES TO RECLAIM AN AMOUNT OF A QUALIFIED LOAN FORGIVEN
25 THROUGH THE PROGRAM FROM A SCHOOL MENTAL HEALTH PROFESSIONAL
26 WHO LEFT A POSITION PRIOR TO SATISFYING THE REQUIREMENT PURSUANT
27 TO SUBSECTION (4)(e) OF THIS SECTION.

1 **23-3.6-303. Report.** (1) ON OR BEFORE OCTOBER 31, 2025, 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 **23-3.6-304. Repeal.** 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

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