

Second Regular Session
Sixty-sixth General Assembly
STATE OF COLORADO

ENGROSSED

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

LLS NO. 08-1034.01 Julie Pelegrin

HOUSE BILL 08-1370

HOUSE SPONSORSHIP

Middleton,

SENATE SPONSORSHIP

Bacon,

House Committees

Education
Appropriations

Senate Committees

A BILL FOR AN ACT

101 **CONCERNING INCREASING THE LEVEL OF SERVICES PROVIDED BY**
102 **SCHOOL COUNSELORS TO STUDENTS IN PUBLIC SECONDARY**
103 **SCHOOLS, AND, IN CONNECTION THEREWITH, CREATING THE**
104 **COUNSELOR CORPS GRANT PROGRAM AND MAKING AN**
105 **APPROPRIATION.**

Bill Summary

(Note: This summary applies to this bill as introduced and does not necessarily reflect any amendments that may be subsequently adopted.)

Makes legislative findings concerning the importance of school counseling services for students in middle, junior high, and high schools ("secondary students"). Creates the school counselor corps grant program

Shading denotes HOUSE amendment. Double underlining denotes SENATE amendment.
Capital letters indicate new material to be added to existing statute.
Dashes through the words indicate deletions from existing statute.

HOUSE
Amended 2nd Reading
April 11, 2008

("program") as a 3-year grant program to provide moneys to school districts, boards of cooperative services, and charter schools for increasing the number of school counselors for secondary students and the level of school counseling services provided. Directs the state board of education ("state board") to adopt rules to implement the program. Requires the department of education ("department") to administer the program. Specifies the minimum information to be included on grant applications and the minimum criteria for the department and the state board to apply in awarding grants. Directs the department and the state board to work with experts in school counseling in administering the grants. Creates the school counselor corps grant fund. Requires the department to report to the education committees of the general assembly concerning implementation of the program. Repeals the program after 3 years.

Makes an appropriation.

1 *Be it enacted by the General Assembly of the State of Colorado:*

2 **SECTION 1.** Title 22, Colorado Revised Statutes, is amended BY
3 THE ADDITION OF A NEW ARTICLE to read:

4 **ARTICLE 90**

5 **School Counselor Corps Grant Program**

6 **22-90-101. Legislative declaration.** (1) THE GENERAL
7 ASSEMBLY HEREBY FINDS THAT:

8 (a) A STUDENT'S LEVEL OF EDUCATION ATTAINMENT WILL
9 DIRECTLY INFLUENCE THE STUDENT'S LEVEL OF ACHIEVEMENT AND
10 SUCCESS THROUGHOUT THE REST OF HIS OR HER LIFE;

11 (b) THE NATIONAL CENTER FOR EDUCATION STATISTICS REPORTS
12 THAT, IN COMPARING EMPLOYMENT RATES AND LEVELS OF EDUCATION
13 ATTAINMENT ACROSS THE COUNTRY, IN 2005, THE UNEMPLOYMENT RATE
14 FOR PERSONS WHO DROPPED OUT OF HIGH SCHOOL WAS SEVEN AND
15 SIX-TENTHS PERCENT, COMPARED TO AN OVERALL AVERAGE
16 UNEMPLOYMENT RATE FOR ALL EDUCATION LEVELS OF FOUR PERCENT.
17 THE UNEMPLOYMENT RATE FOR PERSONS WHO GRADUATED FROM HIGH

1 SCHOOL AND ATTAINED AN ASSOCIATES DEGREE WAS THREE AND
2 THREE-TENTHS PERCENT, AND THE UNEMPLOYMENT RATE DROPPED TO
3 TWO AND THREE-TENTHS PERCENT FOR PERSONS WHO ATTAINED A
4 BACHELOR'S DEGREE.

5 (c) THE COLORADO DEPARTMENT OF EDUCATION REPORTS THAT
6 THE GRADUATION RATE FOR COLORADO SCHOOL DISTRICTS IN THE SPRING
7 OF 2006 WAS SEVENTY-FOUR AND ONE-TENTH PERCENT;

8 (d) IN 2003, APPROXIMATELY FORTY-NINE PERCENT OF THE
9 STUDENTS WHO GRADUATED FROM A COLORADO PUBLIC HIGH SCHOOL
10 ENROLLED IN A PUBLIC INSTITUTION OF HIGHER EDUCATION IN COLORADO;

11 (e) AS RECENTLY AS 2006, STATISTICS SHOWED THAT THERE IS A
12 FORTY PERCENT PROBABILITY THAT A STUDENT WHO IS ENROLLED IN
13 NINTH GRADE IN COLORADO WILL BE ENROLLED IN POSTSECONDARY
14 EDUCATION WHEN THE STUDENT IS NINETEEN YEARS OF AGE, AND
15 THIRTY-FOUR PERCENT OF THE PERSONS IN COLORADO WHO ARE EIGHTEEN
16 TO TWENTY-FOUR YEARS OF AGE ARE ENROLLED IN POSTSECONDARY
17 EDUCATION;

18 (f) STUDIES SHOW THAT SCHOOL COUNSELING AND
19 POSTSECONDARY PREPARATION CAN HAVE A SIGNIFICANT EFFECT ON
20 STUDENTS IN ASSISTING THEM TO BEGIN AS EARLY AS SEVENTH OR EIGHTH
21 GRADE TO IDENTIFY THEIR POST-GRADUATION GOALS AND TO BEGIN
22 PLANNING TO ACHIEVE THEM. THIS IS ESPECIALLY TRUE FOR
23 AFRICAN-AMERICAN AND HISPANIC STUDENTS, LOW-INCOME STUDENTS,
24 AND STUDENTS WHOSE PARENTS HAVE NO DIRECT EXPERIENCE WITH
25 POSTSECONDARY EDUCATION.

26 (g) STUDIES FURTHER SHOW THAT STRATEGIC PARTNERSHIPS
27 AMONG SCHOOL COUNSELORS, PROPERLY TRAINED ADMINISTRATORS,

1 TEACHERS, AND COMMUNITY-BASED POSTSECONDARY SERVICE PROVIDERS
2 RESULT IN IMPROVED ATTENDANCE, IMPROVED ACADEMIC PERFORMANCE,
3 AND INCREASED POSTSECONDARY SUCCESS FOR STUDENTS FROM
4 LOW-INCOME FAMILIES AND STUDENTS WHOSE PARENTS HAVE NO DIRECT
5 EXPERIENCE WITH POSTSECONDARY EDUCATION;

6 (h) STUDIES ALSO SHOW THAT A SIGNIFICANT FACTOR IN ASSISTING
7 A STUDENT TO REMAIN IN SCHOOL AND TO GRADUATE IS THE CREATION OF
8 A STRONG PERSONAL RELATIONSHIP WITH AT LEAST ONE ADULT IN THE
9 SCHOOL, AND IN MANY CASES THAT ADULT IS A SCHOOL COUNSELOR;

10 (i) PROFESSIONAL SCHOOL COUNSELORS ARE TRAINED TO PROVIDE
11 COMPREHENSIVE PROGRAMS THAT FACILITATE THE DEVELOPMENT OF THE
12 WHOLE CHILD IN THE AREAS OF ACADEMIC, CAREER, AND PERSONAL AND
13 SOCIAL NEEDS;

14 (j) FOR THE 2006-07 SCHOOL YEAR, THE STUDENT-TO-COUNSELOR
15 RATIO IN COLORADO PUBLIC SCHOOLS WAS APPROXIMATELY FIVE
16 HUNDRED TO ONE, WHICH IS DOUBLE THE RATIO RECOMMENDED BY THE
17 AMERICAN SCHOOL COUNSELORS ASSOCIATION AS AN AVERAGE
18 STATEWIDE RATIO; AND

19 (k) REDUCING THE STUDENT-TO-COUNSELOR RATIO IN
20 COLORADO'S PUBLIC SECONDARY SCHOOLS IS A POSITIVE MOVE TOWARD
21 ACHIEVING THE GOALS OF CLOSING THE ACHIEVEMENT GAP, DECREASING
22 THE DROPOUT RATE, AND INCREASING THE NUMBER OF STUDENTS WHO
23 MATRICULATE INTO POSTSECONDARY EDUCATION WITHOUT THE NEED FOR
24 REMEDIATION.

25 (2) THE GENERAL ASSEMBLY CONCLUDES, THEREFORE, THAT IT IS
26 IN THE BEST INTERESTS OF THE STUDENTS IN THE STATE TO ENCOURAGE
27 AND SUPPORT SCHOOL DISTRICTS, BOARDS OF COOPERATIVE SERVICES,

1 AND CHARTER SCHOOLS IN INCREASING THE NUMBER OF SCHOOL
2 COUNSELORS AVAILABLE IN MIDDLE, JUNIOR HIGH, AND HIGH SCHOOLS
3 AND IN IMPROVING THE LEVEL OF SCHOOL COUNSELING SERVICES
4 PROVIDED TO STUDENTS BY ENACTING THE SCHOOL COUNSELOR CORPS
5 GRANT PROGRAM.

6 **22-90-102. Definitions.** AS USED IN THIS ARTICLE, UNLESS THE
7 CONTEXT OTHERWISE REQUIRES:

8 (1) "DEPARTMENT" MEANS THE DEPARTMENT OF EDUCATION
9 CREATED AND EXISTING PURSUANT TO SECTION 24-1-115, C.R.S.

10 (2) "EDUCATION PROVIDER" MEANS A SCHOOL DISTRICT, A BOARD
11 OF COOPERATIVE SERVICES, A CHARTER SCHOOL AUTHORIZED BY A
12 SCHOOL DISTRICT PURSUANT TO PART 1 OF ARTICLE 30.5 OF THIS TITLE, OR
13 A CHARTER SCHOOL AUTHORIZED BY THE CHARTER SCHOOL INSTITUTE
14 PURSUANT TO PART 5 OF ARTICLE 30.5 OF THIS TITLE.

15 (3) "FUND" MEANS THE SCHOOL COUNSELOR CORPS GRANT FUND
16 CREATED IN SECTION 22-90-105.

17 (4) "POSTSECONDARY SERVICE PROVIDER" MEANS AN
18 INDEPENDENT AGENCY WHOSE PRIMARY PURPOSE IS TO PROVIDE CAREER
19 AND COLLEGE PREPARATORY SERVICES TO STUDENTS.

20 (5) "PROGRAM" MEANS THE SCHOOL COUNSELOR CORPS GRANT
21 PROGRAM CREATED IN SECTION 22-90-103.

22 (6) "RECIPIENT SECONDARY SCHOOL" MEANS A SECONDARY
23 SCHOOL AT WHICH AN EDUCATION PROVIDER WILL USE MONEYS RECEIVED
24 FROM THE PROGRAM TO EITHER INCREASE THE NUMBER OF SCHOOL
25 COUNSELORS OR OTHERWISE RAISE THE LEVEL OF SCHOOL COUNSELING
26 PROVIDED.

27 (7) "SCHOOL COUNSELOR" MEANS A PERSON WHO HOLDS A SPECIAL

1 SERVICES PROVIDER LICENSE WITH A SCHOOL COUNSELOR ENDORSEMENT
2 ISSUED PURSUANT TO ARTICLE 60.5 OF THIS TITLE OR WHO IS OTHERWISE
3 ENDORSED OR ACCREDITED BY A NATIONAL ASSOCIATION TO PROVIDE
4 SCHOOL COUNSELING SERVICES.

5 (8) "SECONDARY SCHOOL" MEANS A PUBLIC SCHOOL THAT
6 INCLUDES ANY OF GRADES SEVEN THROUGH TWELVE.

7 (9) "STATE BOARD" MEANS THE STATE BOARD OF EDUCATION
8 CREATED PURSUANT TO SECTION 1 OF ARTICLE IX OF THE STATE
9 CONSTITUTION.

10 **22-90-103. School counselor corps grant program - created -**

11 **rules.** (1) THERE IS HEREBY CREATED IN THE DEPARTMENT THE SCHOOL
12 COUNSELOR CORPS GRANT PROGRAM TO PROVIDE FUNDING TO EDUCATION
13 PROVIDERS TO INCREASE THE AVAILABILITY OF EFFECTIVE SCHOOL-BASED
14 COUNSELING WITHIN SECONDARY SCHOOLS WITH THE GOAL OF INCREASING
15 THE GRADUATION RATE WITHIN THE STATE AND INCREASING THE
16 PERCENTAGE OF STUDENTS WHO APPROPRIATELY PREPARE FOR, APPLY TO,
17 AND CONTINUE INTO POSTSECONDARY EDUCATION. AN EDUCATION
18 PROVIDER THAT RECEIVES A GRANT UNDER THE PROGRAM SHALL USE THE
19 MONEYS TO INCREASE THE LEVEL OF FUNDING THE EDUCATION PROVIDER
20 ALLOCATED TO SCHOOL-BASED COUNSELING PRIOR TO RECEIVING THE
21 GRANT AND NOT TO REPLACE OTHER FUNDING SOURCES ALLOCATED TO
22 SCHOOL-BASED COUNSELING. THE DEPARTMENT SHALL ADMINISTER THE
23 PROGRAM AS PROVIDED IN THIS ARTICLE AND PURSUANT TO RULES
24 ADOPTED BY THE STATE BOARD.

25 (2) THE STATE BOARD SHALL ADOPT RULES, PURSUANT TO THE
26 "STATE ADMINISTRATIVE PROCEDURE ACT", ARTICLE 4 OF TITLE 24,
27 C.R.S., FOR IMPLEMENTATION OF THE PROGRAM, INCLUDING BUT NOT

1 LIMITED TO RULES REGARDING:

2 (a) THE TIME LINE FOR SUBMITTING APPLICATIONS TO THE
3 DEPARTMENT;

4 (b) THE FORM OF THE GRANT APPLICATION AND ANY INFORMATION
5 IN ADDITION TO THAT SPECIFIED IN SECTION 22-90-104 (2) TO BE
6 INCLUDED IN THE APPLICATION;

7 (c) ANY CRITERIA FOR AWARDING GRANTS IN ADDITION TO THOSE
8 SPECIFIED IN SECTION 22-90-104 (3); AND

9 (d) ANY INFORMATION TO BE INCLUDED IN THE DEPARTMENT'S
10 PROGRAM REPORT IN ADDITION TO THAT REQUIRED IN SECTION 22-90-106.

11 **22-90-104. School counselor corps grant program - application**

12 **- criteria - grant awards.** (1) AN EDUCATION PROVIDER THAT SEEKS A
13 GRANT FROM THE PROGRAM SHALL SUBMIT AN APPLICATION TO THE
14 DEPARTMENT IN ACCORDANCE WITH THE RULES ADOPTED BY THE STATE
15 BOARD. THE DEPARTMENT SHALL REVIEW EACH APPLICATION RECEIVED
16 FROM AN EDUCATION PROVIDER AND MAKE RECOMMENDATIONS TO THE
17 STATE BOARD CONCERNING WHETHER A GRANT SHOULD BE AWARDED TO
18 THE EDUCATION PROVIDER AND THE RECOMMENDED AMOUNT OF THE
19 GRANT. IF THE DEPARTMENT DETERMINES AN APPLICATION IS MISSING
20 ANY INFORMATION REQUIRED BY RULE TO BE INCLUDED WITH THE
21 APPLICATION, THE DEPARTMENT MAY CONTACT THE EDUCATION PROVIDER
22 TO OBTAIN THE MISSING INFORMATION.

23 (2) AT A MINIMUM, EACH GRANT APPLICATION SHALL SPECIFY:

24 (a) THE INTENDED RECIPIENT SECONDARY SCHOOLS, THE NUMBER
25 OF SECONDARY SCHOOL COUNSELORS EMPLOYED BY THE EDUCATION
26 PROVIDER PRIOR TO RECEIPT OF A GRANT, AND THE RATIO OF STUDENTS TO
27 SCHOOL COUNSELORS IN THE SECONDARY SCHOOLS OPERATED BY OR

1 RECEIVING SERVICES FROM THE EDUCATION PROVIDER;

2 (b) WHETHER THE EDUCATION PROVIDER HAS ADOPTED
3 STANDARDS FOR SCHOOL COUNSELOR RESPONSIBILITIES, AS
4 RECOMMENDED BY A NATIONAL ASSOCIATION OF SCHOOL COUNSELORS;

5 (c) WHETHER THE EDUCATION PROVIDER HAS ENTERED INTO, OR
6 HAS COMMITTED TO ESTABLISHING, ONE OR MORE PARTNERSHIPS WITH
7 INSTITUTIONS OF HIGHER EDUCATION OR POSTSECONDARY SERVICE
8 PROVIDERS IN COLORADO TO SUPPORT AND INCREASE THE CAPACITY AND
9 EFFECTIVENESS OF THE COUNSELING AND POSTSECONDARY PREPARATION
10 SERVICES PROVIDED TO SECONDARY SCHOOL STUDENTS ENROLLED IN OR
11 RECEIVING EDUCATIONAL SERVICES FROM THE EDUCATION PROVIDER;

12 (d) THE EDUCATION PROVIDER'S PLAN FOR USE OF THE GRANT
13 MONEYS, INCLUDING THE EXTENT TO WHICH THE GRANT MONEYS WILL BE
14 USED TO INCREASE THE NUMBER OF SCHOOL COUNSELORS AT RECIPIENT
15 SECONDARY SCHOOLS AND TO PROVIDE PROFESSIONAL DEVELOPMENT FOR
16 SCHOOL COUNSELORS AND PROFESSIONAL DEVELOPMENT TO ENABLE
17 OTHER FACULTY MEMBERS TO PROVIDE COUNSELING AND
18 POSTSECONDARY PREPARATION SERVICES AT RECIPIENT SECONDARY
19 SCHOOLS;

20 (e) THE EDUCATION PROVIDER'S PLAN FOR INVOLVING LEADERS AT
21 THE RECIPIENT SECONDARY SCHOOLS AND IN THE SURROUNDING
22 COMMUNITY AND THE FACULTY AT RECIPIENT SECONDARY SCHOOLS IN
23 INCREASING THE CAPACITY AND EFFECTIVENESS OF THE COUNSELING AND
24 POSTSECONDARY PREPARATION SERVICES PROVIDED TO SECONDARY
25 SCHOOL STUDENTS ENROLLED IN OR RECEIVING EDUCATIONAL SERVICES
26 FROM THE EDUCATION PROVIDER;

27 (f) THE EXTENT TO WHICH THE EDUCATION PROVIDER HAS

1 DEVELOPED OR PLANS TO DEVELOP PARTNERSHIPS TO SERVE THE
2 POSTSECONDARY NEEDS OF ALL OF THE SECONDARY STUDENTS ENROLLED
3 IN OR RECEIVING EDUCATIONAL SERVICES FROM THE EDUCATION
4 PROVIDER;

5 (g) THE EDUCATION PROVIDER'S USE OF DISTRICT-LEVEL, OR
6 SCHOOL-LEVEL IF THE EDUCATION PROVIDER IS A CHARTER SCHOOL, NEEDS
7 ASSESSMENTS THAT IDENTIFY CHALLENGING ISSUES IN THE DISTRICT OR
8 SCHOOL IN TERMS OF STUDENT LEARNING AND SUCCESS AND
9 IDENTIFICATION OF ANY PROGRAMS INITIATED OR SERVICES PROVIDED BY
10 THE EDUCATION PROVIDER TO SECONDARY STUDENTS THAT HAVE HELPED
11 TO INCREASE GRADUATION RATES AND THE LEVEL OF POSTSECONDARY
12 SUCCESS AMONG GRADUATES;

13 (h) THE ATTENDANCE, GRADE-RETENTION AND PROMOTION, AND
14 GRADING POLICIES IMPLEMENTED BY THE EDUCATION PROVIDER;

15 (i) WHETHER THE EDUCATION PROVIDER INTENDS TO PROVIDE
16 MATCHING FUNDS TO AUGMENT ANY GRANT MONEYS RECEIVED FROM THE
17 PROGRAM AND THE ANTICIPATED AMOUNT AND SOURCE OF ANY MATCHING
18 FUNDS; AND

19 (j) THE EDUCATION PROVIDER'S PLAN FOR CONTINUING TO FUND
20 THE INCREASES IN SCHOOL COUNSELING SERVICES FOLLOWING EXPIRATION
21 OF THE GRANT.

22 (3) IN REVIEWING APPLICATIONS AND MAKING
23 RECOMMENDATIONS, THE DEPARTMENT SHALL APPLY THE FOLLOWING
24 CRITERIA IN ADDITION TO ANY OTHER CRITERIA ADOPTED BY RULE OF THE
25 STATE BOARD:

26 (a) THE DROPOUT RATE AT THE INTENDED RECIPIENT SECONDARY
27 SCHOOL OR SCHOOLS AND, IF THE EDUCATION PROVIDER IS A SCHOOL

1 DISTRICT, AT ALL OF THE SECONDARY SCHOOLS WITHIN THE SCHOOL
2 DISTRICT. THE DEPARTMENT AND THE STATE BOARD SHALL GIVE PRIORITY
3 TO EDUCATION PROVIDERS THAT INTEND TO USE THE GRANT MONEYS TO
4 ASSIST SECONDARY SCHOOLS AT WHICH THE DROPOUT RATE EXCEEDS THE
5 STATEWIDE AVERAGE.

6 (b) THE PERCENTAGE OF STUDENTS ENROLLED IN THE INTENDED
7 RECIPIENT SECONDARY SCHOOL OR SCHOOLS WHO ARE ELIGIBLE FOR FREE
8 OR REDUCED-COST LUNCH. THE DEPARTMENT AND THE STATE BOARD
9 SHALL GIVE PRIORITY TO EDUCATION PROVIDERS THAT IDENTIFY INTENDED
10 RECIPIENT SECONDARY SCHOOLS WITH A HIGH PERCENTAGE OF SAID
11 STUDENTS.

12 (c) THE PERCENTAGE OF STUDENTS ENROLLED IN THE INTENDED
13 RECIPIENT SECONDARY SCHOOL OR SCHOOLS AND, IF THE EDUCATION
14 PROVIDER IS A SCHOOL DISTRICT, IN THE SCHOOL DISTRICT, WHO
15 GRADUATE AND ENROLL IN POSTSECONDARY EDUCATION WITHIN TWO
16 YEARS AFTER GRADUATING FROM HIGH SCHOOL;

17 (d) WHETHER THE EDUCATION PROVIDER HAS ADOPTED, OR HAS
18 DEMONSTRATED A COMMITMENT TO ADOPTING, STANDARDS FOR SCHOOL
19 COUNSELOR RESPONSIBILITIES, AS RECOMMENDED BY A NATIONAL
20 ASSOCIATION OF SCHOOL COUNSELORS; AND

21 (e) THE LIKELIHOOD THAT THE EDUCATION PROVIDER WILL
22 CONTINUE TO FUND THE INCREASES IN THE LEVEL OF SCHOOL COUNSELING
23 SERVICES FOLLOWING EXPIRATION OF THE GRANT.

24 (4) THE DEPARTMENT AND THE STATE BOARD SHALL CONSULT
25 WITH EXPERTS IN THE AREA OF SCHOOL COUNSELING, INCLUDING BUT NOT
26 LIMITED TO SCHOOL COUNSELORS, PERSONS WHO PROVIDE EDUCATION
27 AND PROFESSIONAL DEVELOPMENT IN THE AREAS OF SCHOOL COUNSELING

1 AND CAREER COUNSELING, AND HIGHER EDUCATION ADMISSIONS
2 OFFICERS, IN ESTABLISHING ANY ADDITIONAL CRITERIA FOR AWARDING
3 GRANTS AND IN REVIEWING APPLICATIONS AND SELECTING GRANT
4 RECIPIENTS.

5 (5) SUBJECT TO AVAILABLE APPROPRIATIONS, THE STATE BOARD
6 SHALL AWARD GRANTS TO APPLYING EDUCATION PROVIDERS PURSUANT TO
7 THIS SECTION. THE STATE BOARD SHALL BASE THE GRANT AWARDS ON
8 THE DEPARTMENT'S RECOMMENDATIONS. EACH GRANT SHALL HAVE A
9 TERM OF THREE YEARS BEGINNING IN THE 2008-09 BUDGET YEAR. IN
10 MAKING THE AWARD, THE STATE BOARD SHALL SPECIFY THE AMOUNT OF
11 EACH GRANT. GRANTS AWARDED PURSUANT TO THIS SECTION SHALL BE
12 PAYABLE FROM THE SCHOOL COUNSELOR CORPS GRANT FUND CREATED IN
13 SECTION 22-90-105.

14 **22-90-105. School counselor corps grant fund - created.**

15 (1) (a) THERE IS HEREBY CREATED IN THE STATE TREASURY THE SCHOOL
16 COUNSELOR CORPS GRANT FUND. THE FUND SHALL CONSIST OF SUCH
17 MONEYS AS MAY BE APPROPRIATED TO THE FUND BY THE GENERAL
18 ASSEMBLY AND ANY MONEYS CREDITED TO THE FUND PURSUANT TO
19 SUBSECTION (3) OF THIS SECTION. THE MONEYS IN THE FUND SHALL BE
20 SUBJECT TO ANNUAL APPROPRIATION BY THE GENERAL ASSEMBLY FOR THE
21 DIRECT AND INDIRECT COSTS ASSOCIATED WITH THE IMPLEMENTATION OF
22 THE PROGRAM.

23 (b) ANY MONEYS IN THE FUND NOT EXPENDED FOR THE PURPOSE
24 OF THE PROGRAM MAY BE INVESTED BY THE STATE TREASURER AS
25 PROVIDED BY LAW. ALL INTEREST AND INCOME DERIVED FROM THE
26 INVESTMENT AND DEPOSIT OF MONEYS IN THE FUND SHALL BE CREDITED
27 TO THE FUND. ANY UNEXPENDED AND UNENCUMBERED MONEYS

1 REMAINING IN THE FUND AT THE END OF A FISCAL YEAR SHALL REMAIN IN
2 THE FUND AND SHALL NOT BE CREDITED OR TRANSFERRED TO THE
3 GENERAL FUND OR ANOTHER FUND.

4 (2) THE DEPARTMENT MAY EXPEND NO MORE THAN TWO PERCENT
5 OF THE MONEYS ANNUALLY APPROPRIATED FROM THE FUND TO OFFSET THE
6 COSTS INCURRED IN IMPLEMENTING THE PROGRAM.

7 (3) THE DEPARTMENT SHALL SEEK AND MAY ACCEPT PUBLIC OR
8 PRIVATE GIFTS, GRANTS, OR DONATIONS TO ASSIST IN FUNDING THE
9 PROGRAM. THE DEPARTMENT SHALL TRANSFER ANY MONEYS RECEIVED
10 PURSUANT TO THIS SUBSECTION (3) TO THE STATE TREASURER WHO SHALL
11 CREDIT THE MONEYS TO THE FUND.

12 (4) THE GENERAL ASSEMBLY HEREBY FINDS AND DECLARES THAT,
13 FOR PURPOSES OF SECTION 17 OF ARTICLE IX OF THE STATE CONSTITUTION,
14 AWARDING GRANTS TO EDUCATION PROVIDERS TO USE IN INCREASING THE
15 AVAILABILITY OF SCHOOL COUNSELORS AND THE LEVEL OF SCHOOL
16 COUNSELING SERVICES PROVIDED IN SECONDARY SCHOOLS AND TO
17 THEREBY INCREASE THE GRADUATION AND MATRICULATION RATES AND
18 DECREASE THE NEED FOR REMEDIATION IN POSTSECONDARY EDUCATION
19 IS AN IMPORTANT ELEMENT OF ACCOUNTABLE EDUCATION REFORM AND
20 MAY THEREFORE RECEIVE FUNDING FROM THE STATE EDUCATION FUND
21 CREATED IN SECTION 17 (4) OF ARTICLE IX OF THE STATE CONSTITUTION.

22 **22-90-106. Reporting.** (1) EACH EDUCATION PROVIDER THAT
23 RECEIVES A GRANT THROUGH THE PROGRAM SHALL REPORT THE
24 FOLLOWING INFORMATION TO THE DEPARTMENT EACH YEAR DURING THE
25 TERM OF THE GRANT:

26 (a) THE NUMBER OF SCHOOL COUNSELORS HIRED USING GRANT
27 MONEYS;

1 (b) ANY PROFESSIONAL DEVELOPMENT PROGRAMS PROVIDED
2 USING GRANT MONEYS;

3 (c) ANY OTHER SERVICES PROVIDED USING GRANT MONEYS;

4 (d) A COMPARISON OF THE DROPOUT RATES, AND THE COLLEGE
5 MATRICULATION AND REMEDIATION RATES, IF APPLICABLE, AT THE
6 RECIPIENT SECONDARY SCHOOLS FOR THE YEARS PRIOR TO RECEIPT OF THE
7 GRANT AND THE YEARS FOR WHICH THE EDUCATION PROVIDER RECEIVES
8 THE GRANT;

9 (e) INFORMATION INDICATING AN INCREASE IN THE LEVEL OF
10 POSTSECONDARY PREPARATION SERVICES PROVIDED TO SECONDARY
11 STUDENTS AT RECIPIENT SECONDARY SCHOOLS, SUCH AS THE USE OF
12 INDIVIDUAL CAREER AND ACADEMIC PLANS OR ENROLLMENT IN
13 PRE-COLLEGIATE PREPARATION PROGRAMS OR POSTSECONDARY OR
14 VOCATIONAL PREPARATION PROGRAMS; AND

15 (f) ANY ADDITIONAL INFORMATION THAT THE STATE BOARD, BY
16 RULE, MAY REQUIRE.

17 (2) ON OR BEFORE APRIL 15, 2009, AND ON OR BEFORE APRIL 15
18 IN 2010 AND 2011, THE DEPARTMENT SHALL SUBMIT TO THE EDUCATION
19 COMMITTEES OF THE SENATE AND THE HOUSE OF REPRESENTATIVES, OR
20 ANY SUCCESSOR COMMITTEES, A REPORT THAT, AT A MINIMUM,
21 SUMMARIZES THE INFORMATION RECEIVED BY THE DEPARTMENT
22 PURSUANT TO SUBSECTION (1) OF THIS SECTION. THE DEPARTMENT SHALL
23 ALSO POST THE REPORT TO ITS WEB SITE.

24 (3) THE DEPARTMENT OF HIGHER EDUCATION SHALL COOPERATE
25 WITH THE DEPARTMENT IN PROVIDING INFORMATION NECESSARY FOR THE
26 REPORT SUBMITTED BY THE DEPARTMENT PURSUANT TO SUBSECTION (2)
27 OF THIS SECTION.

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SECTION 2. Appropriation. In addition to any other appropriation, for the fiscal year beginning July 1, 2008, there is hereby appropriated, out of any moneys in the state education fund, created in section 17 (4) of article IX of the state constitution, not otherwise appropriated, to the school counselor corps grant fund created in section 22-90-105, Colorado Revised Statutes, the sum of five million dollars (\$5,000,000), and such sum, or so much thereof as may be necessary, is further appropriated to the department of education, for the implementation of this act.

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