

**NOTE: The governor signed this measure on 5/16/2014.**

# An Act

SENATE BILL 14-150

BY SENATOR(S) Todd and Zenzinger, Crowder, Guzman, Johnston, Kefalas, Kerr, Newell, Nicholson, Schwartz, Steadman, Aguilar, Heath, Hodge, Jones, Tochtrop, Ulibarri, Carroll;  
also REPRESENTATIVE(S) Hamner, Buckner, Duran, Exum, Fields, Ginal, Hullinghorst, Labuda, Lebsock, Melton, Moreno, Peniston, Pettersen, Primavera, Rosenthal, Ryden, Salazar, Schafer, Singer, Tyler, Young.

CONCERNING THE COLORADO SCHOOL COUNSELOR CORPS GRANT PROGRAM, AND, IN CONNECTION THEREWITH, MAKING AN APPROPRIATION.

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

**SECTION 1.** In Colorado Revised Statutes, 22-91-102, **amend** (7); and **add** (2.5) as follows:

**22-91-102. Definitions.** As used in this article, unless the context otherwise requires:

(2.5) "FIRST-GENERATION COLLEGE STUDENT" MEANS:

(a) AN INDIVIDUAL BOTH OF WHOSE PARENTS DID NOT COMPLETE A

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*Capital letters indicate new material added to existing statutes; dashes through words indicate deletions from existing statutes and such material not part of act.*

BACCALAUREATE DEGREE; OR

(b) IN THE CASE OF AN INDIVIDUAL WHO REGULARLY RESIDED WITH AND RECEIVED SUPPORT FROM ONLY ONE PARENT, AN INDIVIDUAL WHOSE ONLY SUCH PARENT DID NOT COMPLETE A BACCALAUREATE DEGREE.

(7) "Secondary school" means a public MIDDLE, JUNIOR, OR HIGH school. ~~that includes any of grades seven through twelve.~~

**SECTION 2.** In Colorado Revised Statutes, 22-91-103, **amend** (1) as follows:

**22-91-103. School counselor corps grant program - created - rules.** (1) (a) There is hereby created in the department the school counselor corps grant program to provide funding to education providers. THE GOAL OF THE PROGRAM IS to increase the availability of effective school-based counseling within secondary schools ~~with the goal of increasing~~ TO HELP INCREASE the graduation rate within the state and ~~increasing~~ INCREASE the percentage of students who appropriately prepare for, apply to, and continue into postsecondary education.

(b) An education provider that receives a grant under the program ~~shall~~ MUST use the moneys to increase the level of funding the education provider allocated to school-based counseling prior to receiving the grant and not to replace other funding sources allocated to school-based counseling.

(c) The department shall administer the program as provided in this article and pursuant to rules adopted by the state board.

(d) AN EDUCATION PROVIDER THAT RECEIVES A GRANT THROUGH THE PROGRAM SHALL USE STATE GUIDELINES AND STANDARDS TO IMPLEMENT A COMPREHENSIVE COUNSELING MODEL THAT INCLUDES A TIME AND EFFORT ASSESSMENT, POSTSECONDARY WORKFORCE-READY PROGRAMMING, AND SOCIAL AND EMOTIONAL COUNSELING WORK.

(e) AN EDUCATION PROVIDER THAT RECEIVES A GRANT THROUGH THE PROGRAM SHALL USE STATE MODELS FOR ACCOUNTABILITY. THE EDUCATION PROVIDER SHALL COLLECT DATA ON ITS COUNSELING PROGRAM TO DEMONSTRATE THE IMPACT OF THE SCHOOL COUNSELING PROGRAM ON

STUDENT ACHIEVEMENT, ATTENDANCE, AND BEHAVIOR. THE EDUCATION PROVIDER SHALL USE THE DATA TO ANALYZE SCHOOL COUNSELING PROGRAM ASSESSMENTS TO GUIDE FUTURE ACTION AND IMPROVE FUTURE RESULTS FOR ALL STUDENTS.

**SECTION 3.** In Colorado Revised Statutes, 22-91-104, **amend** (1), (3), (5), and (6); and **add** (4.5) as follows:

**22-91-104. School counselor corps grant program - application - criteria - grant awards - rules.** (1) An education provider ~~that seeks~~ SEEKING a grant from the program shall submit an application to the SCHOOL COUNSELOR CORPS ADVISORY BOARD EXISTING WITHIN THE department in accordance with the rules adopted by the state board. The ~~department~~ SCHOOL COUNSELOR CORPS ADVISORY BOARD shall review each GRANT application received ~~from an education provider~~ and make recommendations to the DEPARTMENT AND state board concerning whether a grant should be awarded to the education provider and the recommended amount of the grant. If the ~~department~~ SCHOOL COUNSELOR CORPS ADVISORY BOARD determines an application is missing any information required by rule to be included with the application, the ~~department~~ SCHOOL COUNSELOR CORPS ADVISORY BOARD may contact the education provider to obtain the missing information.

(3) In reviewing applications and making recommendations TO THE DEPARTMENT AND STATE BOARD, the ~~department~~ SCHOOL COUNSELOR CORPS ADVISORY BOARD shall ~~apply~~ CONSIDER the following criteria, in addition to any other criteria adopted by rule of the state board:

(a) The dropout rate at the intended recipient secondary school or schools and, if the education provider is a school district, at all of the secondary schools within the school district. The SCHOOL COUNSELOR CORPS ADVISORY BOARD, department, and ~~the~~ state board shall give priority to education providers that intend to use the grant moneys to assist secondary schools at which the dropout rate exceeds the statewide average.

(a.5) THE REMEDIATION RATE AT THE INTENDED RECIPIENT SECONDARY SCHOOL OR SCHOOLS AND, IF THE EDUCATION PROVIDER IS A SCHOOL DISTRICT, ALL OF THE SECONDARY SCHOOLS WITHIN THE SCHOOL DISTRICT. THE SCHOOL COUNSELOR CORPS ADVISORY BOARD, DEPARTMENT, AND STATE BOARD SHALL GIVE PRIORITY TO EDUCATION PROVIDERS THAT

INTEND TO USE THE GRANT MONEYS TO ASSIST SECONDARY SCHOOLS AT WHICH THE REMEDIATION RATE IS GREATER THAN THE STATEWIDE AVERAGE.

(b) The percentage of students enrolled in the intended recipient secondary school or schools, AND, IF THE EDUCATION PROVIDER IS A SCHOOL DISTRICT, ALL OF THE SECONDARY SCHOOLS WITHIN THE SCHOOL DISTRICT, who are eligible for free or reduced-cost lunch OR WHO ARE CONSIDERED AT-RISK STUDENTS. The SCHOOL COUNSELOR CORPS ADVISORY BOARD, department, and the state board shall give priority to education providers that identify intended recipient secondary schools with a high percentage of said students.

(c) The percentage of students enrolled in the intended recipient secondary school or schools and, if the education provider is a school district, ALL OF THE SECONDARY SCHOOLS in the school district, who graduate and enroll in postsecondary education within two years after graduating from high school;

(c.5) THE NUMBER OF STUDENTS ENROLLED IN THE INTENDED RECIPIENT SECONDARY SCHOOL OR SCHOOLS AND, IF THE EDUCATION PROVIDER IS A SCHOOL DISTRICT ALL OF THE SECONDARY SCHOOLS IN THE SCHOOL DISTRICT, WHO APPLY TO AND ENROLL IN POSTSECONDARY EDUCATION WITHIN TWO YEARS AFTER GRADUATING FROM HIGH SCHOOL AND WHO ARE FIRST-GENERATION COLLEGE STUDENTS. THE SCHOOL COUNSELOR CORPS ADVISORY BOARD, DEPARTMENT, AND STATE BOARD SHALL GIVE PRIORITY TO EDUCATION PROVIDERS THAT IDENTIFY INTENDED RECIPIENT SECONDARY SCHOOLS WITH A HIGH PERCENTAGE OF FIRST-GENERATION COLLEGE STUDENTS.

(d) Whether the education provider has adopted, or has demonstrated a commitment to adopting, standards for school counselor responsibilities, as recommended by a national association of school counselors; and

(e) The likelihood that the education provider will continue to fund the increases in the level of school counseling services following expiration of the grant;

(f) THE GEOGRAPHIC LOCATION OF THE EDUCATION PROVIDER. THE

SCHOOL COUNSELOR CORPS ADVISORY BOARD, DEPARTMENT, AND STATE BOARD MAY PROVIDE A PREFERENCE IN AWARDING GRANTS TO UNDERSERVED AREAS OF THE STATE; AND

(g) THE CURRENT STUDENT-TO-COUNSELOR RATIO AT THE SCHOOL.

(4.5) THE DEPARTMENT SHALL PROVIDE SUPPORT TO SECONDARY SCHOOLS TO TRAIN PRINCIPALS ON THE MOST EFFECTIVE USE OF THE PROGRAM.

(5) Subject to available appropriations, BUT NOT TO EXCEED TEN MILLION DOLLARS ANNUALLY, the state board shall award grants to applying education providers pursuant to this section. The state board shall base the grant awards on the department's recommendations. Each grant ~~shall have~~ HAS a term of ~~three~~ FOUR years beginning in the ~~2008-09~~ 2014-15 budget year. In making ~~the~~ A GRANT award, the state board shall specify the amount of each grant.

(6) The department may expend no more than three percent of the moneys annually appropriated for the program to offset the costs incurred in implementing the program, INCLUDING THE PROVISION OF GRANT-RELATED PROFESSIONAL DEVELOPMENT, TRAINING, AND REPORTING ACTIVITIES.

**SECTION 4.** In Colorado Revised Statutes, **add** 22-91-104.5 as follows:

**22-91-104.5. School counselor corps advisory board - created - guidelines.** (1) THERE IS CREATED WITHIN THE DEPARTMENT THE SCHOOL COUNSELOR CORPS ADVISORY BOARD. THE DEPARTMENT SHALL ESTABLISH GUIDELINES FOR THE DUTIES, MEMBERSHIP, AND RESPONSIBILITIES OF THE ADVISORY BOARD. THE ADVISORY BOARD MAY INCLUDE, BUT IS NOT LIMITED TO, MEMBERS:

(a) WHO REPRESENT THE DEPARTMENTS OF EDUCATION, HIGHER EDUCATION, AND LABOR AND EMPLOYMENT; COMMUNITY COLLEGES; OR SCHOOL DISTRICTS; OR

(b) WHO HAVE EXPERTISE IN ELEMENTARY, MIDDLE, AND HIGH SCHOOL COUNSELING; STUDENT RETENTION; COUNSELOR EDUCATION;

CAREER AND TECHNICAL EDUCATION; STUDENT SUPPORT SERVICES; CAREER PLANNING; PRE-COLLEGIATE SERVICES AND COLLEGE ADMISSIONS; AND MENTAL HEALTH AND SUICIDE PREVENTION.

**SECTION 5. Appropriation.** In addition to any other appropriation, there is hereby appropriated, out of any moneys in the state education fund created in section 17 (4) (a) of article IX of the state constitution, not otherwise appropriated, to the department of education, for the fiscal year beginning July 1, 2014, the sum of \$5,000,000 and 1.0 FTE, or so much thereof as may be necessary, for allocation to the school counselor corps grant program for the implementation of this act.

**SECTION 6. 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.

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Morgan Carroll  
PRESIDENT OF  
THE SENATE

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Mark Ferrandino  
SPEAKER OF THE HOUSE  
OF REPRESENTATIVES

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Cindi L. Markwell  
SECRETARY OF  
THE SENATE

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Marilyn Eddins  
CHIEF CLERK OF THE HOUSE  
OF REPRESENTATIVES

APPROVED \_\_\_\_\_

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John W. Hickenlooper  
GOVERNOR OF THE STATE OF COLORADO