

An Act

SENATE BILL 21-117

BY SENATOR(S) Moreno, Buckner, Fields, Ginal, Gonzales, Hansen, Kolker, Pettersen, Story, Winter, Zenzinger;
also REPRESENTATIVE(S) Michaelson Jenet, Amabile, Bacon, Bernett, Bird, Cutter, Duran, Esgar, Exum, Froelich, Hooton, Jackson, Jodeh, Lontine, McLachlan, Mullica, Ortiz, Pelton, Ricks, Sandridge, Valdez A., Valdez D., Van Beber, Young.

CONCERNING CONSISTENT PROCEDURES BETWEEN SCHOOLS AND COUNTY DEPARTMENTS OF HUMAN SERVICES RELATING TO STUDENTS IN OUT-OF-HOME PLACEMENT.

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

SECTION 1. In Colorado Revised Statutes, 22-32-138, **amend** (1)(h) and (10) as follows:

22-32-138. Out-of-home placement students - school stability, transfer, and enrollment procedures - absences - exemptions - provision of academic supports - definitions. (1) As used in this section and in section 22-32-138.5, unless the context otherwise requires:

(h) "Student in out-of-home placement" means a child or youth who

Capital letters or bold & italic numbers indicate new material added to existing law; dashes through words or numbers indicate deletions from existing law and such material is not part of the act.


at any time during an academic semester or term is in foster care, ~~and receiving educational services through a state-licensed day treatment facility~~ or who at any time during an academic semester or term is in placement out of the home, as that term is defined in section 19-1-103 ~~(85)~~ (51.3), including but not limited to any child or youth who is in placement outside of the home at any time during an academic semester or term as a result of an adjudication pursuant to article 2 of title 19. "Student in out-of-home placement" includes a child or youth who transfers enrollment as a result of being returned to his or her home at the conclusion of out-of-home placement.


(10) (a) School districts and the state charter school institute shall coordinate with county departments to establish systems-level plans for how necessary transportation to the school of origin is provided, arranged, and funded for the duration of a child's or youth's time as a student in out-of-home placement, including the equitable allocation of costs. TRANSPORTATION PLANS DESCRIBED IN THIS SUBSECTION (10) MAY BE ESTABLISHED BETWEEN INDIVIDUAL ENTITIES OR BY REGION, AND A BOARD OF COOPERATIVE SERVICES MAY ESTABLISH A TRANSPORTATION PLAN WITH ONE OR MORE COUNTY DEPARTMENTS ON BEHALF OF ITS SCHOOL DISTRICT MEMBERS.


(b) STATE AND LOCAL AGENCIES SHALL USE STANDARDIZED FORMS AND INVOICES APPROVED BY BOTH THE DEPARTMENT OF EDUCATION AND THE STATE DEPARTMENT OF HUMAN SERVICES TO BILL FOR TRANSPORTATION PROVIDED PURSUANT TO THIS SECTION.


SECTION 2. Safety clause. The general assembly hereby finds,

determines, and declares that this act is necessary for the immediate preservation of the public peace, health, or safety.


Leroy M. Garcia
PRESIDENT OF
THE SENATE


Alec Garnett
SPEAKER OF THE HOUSE
OF REPRESENTATIVES


Cindi L. Markwell
SECRETARY OF
THE SENATE


Robin Jones
CHIEF CLERK OF THE HOUSE
OF REPRESENTATIVES

APPROVED April 26, 2021 at 12:10pm
(Date and Time)


Jared S. Polis
GOVERNOR OF THE STATE OF COLORADO