

**Second Regular Session
Seventy-first General Assembly
STATE OF COLORADO**

PREAMENDED

*This Unofficial Version Includes Committee
Amendments Not Yet Adopted on Second Reading*

LLS NO. 18-0944.01 Brita Darling x2241

HOUSE BILL 18-1306

HOUSE SPONSORSHIP

Michaelson Jenet,

SENATE SPONSORSHIP

Coram and Moreno,

House Committees

Public Health Care & Human Services
Appropriations

Senate Committees

A BILL FOR AN ACT

101 **CONCERNING ENSURING EDUCATIONAL STABILITY FOR STUDENTS IN**
102 **OUT-OF-HOME PLACEMENT, AND, IN CONNECTION THEREWITH,**
103 **MAKING AN APPROPRIATION.**

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>.)

The bill aligns state law with federal "Every Student Succeeds Act" (ESSA) provisions relating to students in foster care, referred to in state statutes as "students in out-of-home placement". ESSA permits students in out-of-home placement at any time during the school year to remain in their school of origin, as defined in the bill, rather than move

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

to a different school upon placement outside of the home or changes in placement, unless the county department of human or social services (county department) or juvenile court determines that it is not in the child's best interest to remain in his or her school of origin. Specifically, the bill:

- ! Defines "education provider" to include public schools, school districts, and boards of cooperative services;
- ! Clarifies the role of an education provider's child welfare education liaison with respect to the best interest determination, the transfer of records, transition planning, and immediate enrollment of the child or youth;
- ! Establishes a permanent foster care education coordinator at the department of education and creates a state advisory group on foster care education;
- ! Requires education providers to immediately enroll students in out-of-home placement in school even without academic and immunization records and includes provisions for requesting and receiving records from a sending school;
- ! Requires education providers and county departments to enter into agreements relating to how transportation and other necessary services for students in out-of-home placement will be provided, arranged, and funded; and
- ! Removes barriers to obtaining a high school diploma by allowing education providers to waive course requirements or provide competency-based measures to satisfy graduation requirements.

The bill creates the educational stability grant program (grant program) in the department of education to provide grants to education providers to provide educational services and supports to highly mobile students. The state board of education shall adopt rules for the grant program and award the grants. The department of education shall report on the implementation and outcomes of the grant program.

The bill requires county departments to develop a process for determining the best interests of a child or youth in remaining in the school of origin. Counties are required to provide services, including transportation, for students remaining in the school of origin and services for those students transferring to another school, and to enter into agreements with education providers regarding the provision of these services and funding for the services.

The bill updates the definition of "homeless child" to include children and youth and amends education statutes relating to school attendance and services for homeless children and youth.

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

2 **SECTION 1. Legislative declaration.** (1) The general assembly
3 finds that:

4 (a) For the class of 2017, only twenty-three percent of students
5 who had been in foster care at any time during high school graduated on
6 time;

7 (b) Half of Colorado students in foster care change schools at least
8 once, and often several times, each year;

9 (c) Multiple school transitions create gaps in a student's
10 knowledge and create barriers to educational attainment;

11 (d) Improving educational stability is likely to increase the
12 four-year graduation rate;

13 (e) A University of Northern Colorado study found that when a
14 student has three or more moves during high school, the odds of the
15 student exiting without a credential are greater than the odds of
16 graduating;

17 (f) In 2008, Colorado was among the first eleven states to enter
18 into the Interstate Compact on Educational Opportunity for Military
19 Children, which removes barriers to high school graduation for youth in
20 military families;

21 (g) Foster youth often experience even more school changes than
22 military youth and would benefit from similar protections; and

23 (h) It is imperative to remove barriers to the educational success
24 of students in foster care due to frequent moves and lack of continuity in
25 education.

26 (2) Therefore, the general assembly declares that implementing a
27 policy that ensures flexibility and cooperation between the education

1 system, child welfare system, and families and students is necessary to
2 ensure that students in foster care and other highly mobile student
3 populations achieve educational success.

4 **SECTION 2.** In Colorado Revised Statutes, 22-32-138, **amend**
5 (2), (3)(a), (3)(b), (3)(d), (4)(a) introductory portion, (4)(a)(I), (4)(c), (5),
6 and (7); **repeal and reenact, with amendments,** (1); and **add** (1.5), (8),
7 and (9) as follows:

8 **22-32-138. Out-of-home placement students - school stability,**
9 **transfer, and enrollment procedures - absences - exemptions -**
10 **provision of academic supports - definitions.** (1) AS USED IN THIS
11 SECTION AND IN SECTION 22-32-138.5, UNLESS THE CONTEXT OTHERWISE
12 REQUIRES:

13 (a) "CHILD PLACEMENT AGENCY" HAS THE SAME MEANING AS
14 PROVIDED IN SECTION 19-1-103 (21).

15 (b) "COUNTY DEPARTMENT" HAS THE SAME MEANING AS PROVIDED
16 IN SECTION 19-1-103 (32).

17 (c) "DEPARTMENT OF EDUCATION" MEANS THE DEPARTMENT OF
18 EDUCATION CREATED IN SECTION 24-1-115.

19 (d) "DEPARTMENT OF HUMAN SERVICES" OR "STATE DEPARTMENT
20 OF HUMAN SERVICES" MEANS THE STATE DEPARTMENT OF HUMAN
21 SERVICES CREATED AND EXISTING PURSUANT TO SECTION 24-1-120.

22 (e) "EDUCATION PROVIDER" MEANS A SCHOOL, SCHOOL DISTRICT,
23 THE STATE CHARTER SCHOOL INSTITUTE, OR A BOARD OF COOPERATIVE
24 SERVICES THAT OPERATES A SCHOOL.

25 (f) "SCHOOL" MEANS A PUBLIC SCHOOL OF A SCHOOL DISTRICT, A
26 SCHOOL OPERATED BY A BOARD OF COOPERATIVE SERVICES PURSUANT TO
27 ARTICLE 5 OF THIS TITLE 22, AN INSTITUTE CHARTER SCHOOL AUTHORIZED

1 PURSUANT TO PART 5 OF ARTICLE 30.5 OF THIS TITLE 22, A
2 STATE-LICENSED DAY TREATMENT FACILITY, OR AN APPROVED FACILITY
3 SCHOOL AS DEFINED IN SECTION 22-2-402 (1).

4 (g) "SCHOOL OF ORIGIN" MEANS THE SCHOOL IN WHICH A STUDENT
5 WAS ENROLLED AT THE TIME OF EACH PLACEMENT INTO FOSTER CARE. IF
6 THE STUDENT'S FOSTER CARE PLACEMENT CHANGES, THE SCHOOL OF
7 ORIGIN IS THE SCHOOL IN WHICH THE STUDENT IS ENROLLED AT THE TIME
8 OF THE CHANGE IN PLACEMENT. IF THE STUDENT IS ENROLLED IN A
9 FACILITY SCHOOL, INCLUDING RESIDENTIAL CHILD CARE FACILITIES AND
10 SECURE DETENTION FACILITIES, AND THE STUDENT WILL NO LONGER BE
11 ENROLLED IN THE FACILITY SCHOOL, THE SCHOOL OF ORIGIN IS THE LAST
12 SCHOOL THE STUDENT ATTENDED WITHIN THE PREVIOUS TWO YEARS FOR
13 AT LEAST ONE COMPLETE SEMESTER OR TERM PRIOR TO ENTERING THE
14 FACILITY SCHOOL OR ANOTHER SCHOOL WHERE THE STUDENT HAD A
15 MEANINGFUL CONNECTION WITHIN THE PREVIOUS TWO YEARS. "SCHOOL
16 OF ORIGIN" INCLUDES THE DESIGNATED RECEIVING SCHOOL AT THE NEXT
17 GRADE LEVEL FOR FEEDER SCHOOL OR ZONE PATTERNS WHEN THE
18 STUDENT COMPLETES THE FINAL GRADE LEVEL SERVED BY THE SCHOOL OF
19 ORIGIN. WHEN THERE IS MORE THAN ONE POTENTIAL SCHOOL OF ORIGIN,
20 THE STUDENT'S INPUT MUST BE GIVEN STRONG CONSIDERATION IN
21 DETERMINING WHICH SCHOOL TO DESIGNATE AS THE SCHOOL OF ORIGIN.

22 (h) "STUDENT IN OUT-OF-HOME PLACEMENT" MEANS A CHILD OR
23 YOUTH WHO AT ANY TIME DURING AN ACADEMIC SEMESTER OR TERM IS IN
24 FOSTER CARE AND RECEIVING EDUCATIONAL SERVICES THROUGH A
25 STATE-LICENSED DAY TREATMENT FACILITY OR WHO AT ANY TIME DURING
26 AN ACADEMIC SEMESTER OR TERM IS IN PLACEMENT OUT OF THE HOME, AS
27 THAT TERM IS DEFINED IN SECTION 19-1-103 (85), INCLUDING BUT NOT

1 LIMITED TO ANY CHILD OR YOUTH WHO IS IN PLACEMENT OUTSIDE OF THE
2 HOME AT ANY TIME DURING AN ACADEMIC SEMESTER OR TERM AS A
3 RESULT OF AN ADJUDICATION PURSUANT TO ARTICLE 2 OF TITLE 19.
4 "STUDENT IN OUT-OF-HOME PLACEMENT" INCLUDES A CHILD OR YOUTH
5 WHO TRANSFERS ENROLLMENT AS A RESULT OF BEING RETURNED TO HIS
6 OR HER HOME AT THE CONCLUSION OF OUT-OF-HOME PLACEMENT.

7 (1.5) **Department of education foster care education**
8 **coordinator - creation and duties.** SUBJECT TO AVAILABLE
9 APPROPRIATIONS, THE DEPARTMENT OF EDUCATION SHALL HIRE A
10 FULL-TIME FOSTER CARE EDUCATION COORDINATOR WHO HAS THE
11 FOLLOWING DUTIES BEGINNING IN THE 2019-20 FISCAL YEAR:

12 (a) PROVIDING TRAINING AND PROFESSIONAL DEVELOPMENT TO
13 ADDRESS NEEDS ASSOCIATED WITH IMPLEMENTATION OF STATE AND
14 FEDERAL MANDATES RELATING TO FOSTER CARE EDUCATION;

15 (b) COLLECTING AND DISSEMINATING CHILD WELFARE EDUCATION
16 LIAISON CONTACT INFORMATION ON THE DEPARTMENT OF EDUCATION'S
17 WEBSITE;

18 (c) COORDINATING WITH THE DEPARTMENT OF HUMAN SERVICES
19 AND OTHER AGENCIES AS NECESSARY;

20 (d) PROVIDING TECHNICAL ASSISTANCE TO EDUCATION PROVIDERS
21 FOR REMOVING BARRIERS TO GRADUATION PURSUANT TO SUBSECTION (5)
22 OF THIS SECTION;

23 (e) SERVING AS A POINT OF CONTACT TO REVIEW COMPLIANCE OF
24 EDUCATION PROVIDERS; AND

25 (f) ACTING AS A LIAISON IN COORDINATION WITH THE DEPARTMENT
26 OF HUMAN SERVICES TO REVIEW COMPLAINTS RELATED TO DISPUTES OVER
27 TRANSPORTATION AGREEMENTS BETWEEN SCHOOL DISTRICTS AND THE

1 STATE CHARTER SCHOOL INSTITUTE AND COUNTY DEPARTMENTS.

2 (2) (a) Each school district and the state charter school institute,
3 created pursuant to section 22-30.5-503, shall designate an employee of
4 the school district or the institute to act as the child welfare education
5 liaison for ~~the~~ ALL district SCHOOLS or for ALL state charter schools. In
6 lieu of designating an employee, a school district or the state charter
7 school institute may contract with an individual to act as the child welfare
8 education liaison. Each school district and the state charter school
9 institute shall report to the department of education by August 15, 2010,
10 and by August 15 each year thereafter, the name and contact information
11 of the child welfare education liaison. The department of education shall
12 be responsible for posting that information on the department of
13 education's website and providing the information to the department of
14 human services.

15 (b) The child welfare education liaison shall be responsible for
16 working with child placement agencies, county departments, and the state
17 department OF HUMAN SERVICES to facilitate SERVICES TO MAINTAIN
18 STUDENTS IN OUT-OF-HOME PLACEMENT IN THEIR SCHOOLS OF ORIGIN OR,
19 IF THE COUNTY DEPARTMENT [REDACTED] DETERMINES THAT IT IS NOT IN THE
20 STUDENTS' BEST INTERESTS TO REMAIN IN THE SCHOOL OF ORIGIN, OR
21 FACILITATE the prompt and appropriate placement, transfer, and
22 enrollment in school of students in out-of-home placement within the
23 school district or who are enrolled or enrolling in institute charter schools.
24 ~~The specific duties of~~ The child welfare education liaison shall LIAISON'S
25 SPECIFIC DUTIES include but need not be limited to:

26 (I) RESPONDING TO A COUNTY DEPARTMENT REQUEST FOR INPUT
27 FROM AN EDUCATION PROVIDER CONCERNING THE DETERMINATION OF

1 WHETHER IT IS IN THE BEST INTEREST OF THE STUDENT IN OUT-OF-HOME
2 PLACEMENT TO REMAIN IN THE SCHOOL OF ORIGIN;

3 (II) COLLABORATING WITH THE COUNTY DEPARTMENT TO ENSURE
4 THAT ANY NECESSARY TRANSPORTATION AND SERVICES ARE PROVIDED
5 FOR THE STUDENT IN OUT-OF-HOME PLACEMENT TO REMAIN IN THE
6 STUDENT'S SCHOOL OF ORIGIN;

7 ~~(H)~~ (III) IF A COUNTY DEPARTMENT DETERMINES THAT IT IS NOT IN
8 THE STUDENT'S BEST INTEREST TO REMAIN IN THE SCHOOL OF ORIGIN,
9 working with ~~social workers from county departments, juvenile probation~~
10 ~~officers, PARENTS, GUARDIAN AD LITEMS,~~ and foster care parents to ensure
11 ~~the prompt school enrollment of students in out-of-home placement and~~
12 ~~the prompt transfer of their education information and records when~~
13 ~~students are required to change school enrollment due to changes in~~
14 ~~placement;~~

15 ~~(H)~~ ~~Ensuring~~ that the STUDENT IS ENROLLED IN A NEW SCHOOL
16 IMMEDIATELY WITH TRANSITION PLANNING, AND THAT THE STUDENT'S
17 COMPLETE education information and records ~~of a student in out-of-home~~
18 ~~placement are delivered to~~ ARE REQUESTED IMMEDIATELY BY the student's
19 new school ~~within five school days after receiving a request for the~~
20 ~~transfer of the student's education information and records; from a county~~
21 ~~department as required in subsection (3) of this section~~ UPON
22 ENROLLMENT;

23 ~~(H)~~ (IV) Upon receiving the required notification and invitation,
24 participating in a transition planning meeting regarding the enrollment in
25 a public school of a student in an out-of-home placement pursuant to
26 section 22-2-139 FROM A STATE-LICENSED DAY TREATMENT FACILITY,
27 FACILITY SCHOOL, OR HOSPITAL, or having his or her designee

1 ~~participating in said~~ PARTICIPATE IN THE meeting;

2 ~~(IV)~~ (V) Participating, OR HAVING HIS OR HER DESIGNEE
3 PARTICIPATE, in any interagency collaboration teams or threat-assessment
4 teams centered on students IN OUT-OF-HOME PLACEMENT, which teams the
5 ~~school district~~ EDUCATION PROVIDER may develop or on which teams the
6 ~~school district~~ EDUCATION PROVIDER may be invited to participate; and

7 ~~(V)~~ (VI) Providing to the department of education, the department
8 of human services, and the education committees of the house of
9 representatives and the senate, or any successor committees, the
10 information required pursuant to sections 22-2-139 and 26-1-138. ~~C.R.S.~~

11 ~~(b)~~ (c) Notwithstanding the provisions of ~~paragraph (a) of this~~
12 ~~subsection (2)~~ SUBSECTION (2)(a) OF THIS SECTION, a board of cooperative
13 services created pursuant to article 5 of this ~~title~~ TITLE 22 may designate
14 an employee of the board to act as the child welfare education liaison for
15 the school districts that are members of the board of cooperative services.
16 A child welfare education liaison employed by a board of cooperative
17 services ~~shall have~~ HAS the duties specified in this subsection (2) and
18 shall perform them on behalf of the school districts that are members of
19 the board of cooperative services.

20 (3) (a) If a student in out-of-home placement is enrolled in one
21 school and transfers enrollment to another school either in the same
22 ~~school district~~ EDUCATION PROVIDER or in another ~~school district~~ or to
23 ~~another type of school~~ EDUCATION PROVIDER, the sending ~~school district~~
24 ~~or school~~ EDUCATION PROVIDER shall transfer the student's education
25 information and records to the receiving school ~~within five school days~~
26 AS SOON AS POSSIBLE BUT NOT TO EXCEED FIVE SCHOOL DAYS after
27 receiving a transfer request. ~~from the county department that has legal~~

1 ~~custody of the student.~~

2 (b) Notwithstanding any provision of law to the contrary, without
3 having to obtain a court order, the county department that has legal
4 custody of a student in out-of-home placement may request that the
5 ~~school district or school~~ EDUCATION PROVIDER in which the student was
6 enrolled release the student's education information and records to an
7 employee of the county department. ~~for the sole purpose of transferring~~
8 ~~the education information and records to the student's new school.~~ The
9 ~~school district or school~~ EDUCATION PROVIDER may comply with the
10 requirements of ~~paragraph (a) of this subsection (3)~~ SUBSECTION (3)(a) OF
11 THIS SECTION by complying with the county department's request ~~within~~
12 AS SOON AS POSSIBLE BUT NOT TO EXCEED five school days after receiving
13 the request.

14 (d) If ~~a school district or school~~ AN EDUCATION PROVIDER receives
15 a transfer request pursuant to ~~paragraph (a) of this subsection (3)~~
16 SUBSECTION (3)(a) OF THIS SECTION or a request for release of records
17 pursuant to ~~paragraph (b) of this subsection (3)~~ SUBSECTION (3)(b) OF
18 THIS SECTION and the request involves a student who is receiving special
19 education services pursuant to an individualized education program, the
20 ~~school district or school~~ EDUCATION PROVIDER shall notify the special
21 education director for the ~~school district or school~~ EDUCATION PROVIDER
22 of the request as soon as possible following receipt of the request.

23 (4) (a) Notwithstanding any provision of law, other than
24 ~~paragraph (b) of this subsection (4)~~ SUBSECTION (4)(b) OF THIS SECTION,
25 to the contrary, if a student who is in out-of-home placement is ~~either~~
26 ~~newly placed within a school district or school or required to change~~
27 ~~schools, due to a change in placement,~~ the ~~school district or school~~

1 EDUCATION PROVIDER shall enroll the student in school ~~within five school~~
2 ~~days after receiving the student's education information and records~~
3 IMMEDIATELY, regardless of whether:

4 (I) The ~~school district or school~~ EDUCATION PROVIDER has
5 received the student's EDUCATIONAL INFORMATION AND RECORDS,
6 INCLUDING THE certificate of immunization;

7 (c) If a ~~school district or school~~ AN EDUCATION PROVIDER enrolls
8 a student in out-of-home placement without receiving the student's
9 certificate of immunization, the ~~school district or school~~ EDUCATION
10 PROVIDER shall notify the ~~student's legal guardian~~ COUNTY DEPARTMENT
11 that, unless the ~~school district or school~~ EDUCATION PROVIDER receives
12 the student's certificate of immunization or a written authorization for
13 administration of immunizations within fourteen days after the student
14 enrolls, the ~~school district or school~~ EDUCATION PROVIDER shall suspend
15 the student until such time as the ~~school district or school~~ EDUCATION
16 PROVIDER receives the certificate of immunization or the authorization.

17 (5) (a) When a student in out-of-home placement transfers from
18 one school to another school, the sending ~~school~~ EDUCATION PROVIDER
19 shall certify to the receiving ~~school or school district~~ EDUCATION
20 PROVIDER the course work that the student has fully or partially completed
21 while enrolled ~~at the school~~ IN THE EDUCATION PROVIDER. The receiving
22 ~~school or school district~~ EDUCATION PROVIDER shall accept the student's
23 certified course work and the course work certified by previous ~~schools~~
24 EDUCATION PROVIDERS in which the student was enrolled, as reflected in
25 the student's records, as if it had been completed at the receiving ~~school~~
26 EDUCATION PROVIDER. The receiving ~~school or school district~~ EDUCATION
27 PROVIDER shall apply all of the student's certified course work toward

1 completion of the student's requirements for ~~graduating from the grade~~
2 ~~level in which the student is enrolled~~ PROMOTION at the receiving ~~school~~
3 ~~or school district~~ EDUCATION PROVIDER or for graduation from the
4 receiving ~~school or school district~~ EDUCATION PROVIDER if the student is
5 enrolled in twelfth grade.

6 (b) WHEN A STUDENT EXPERIENCES OUT-OF-HOME PLACEMENT AT
7 ANY POINT DURING HIGH SCHOOL, AN EDUCATION PROVIDER MAY WAIVE
8 COURSE OR PROGRAM PREREQUISITES OR OTHER PRECONDITIONS FOR
9 PLACEMENT IN COURSES OR PROGRAMS UNDER THE JURISDICTION OF THE
10 EDUCATION PROVIDER.

11 (c) AN EDUCATION PROVIDER **MAY** WAIVE SPECIFIC COURSES
12 REQUIRED FOR GRADUATION IF SIMILAR COURSE WORK HAS BEEN
13 SATISFACTORILY COMPLETED IN ANOTHER JURISDICTION OR THE STUDENT
14 HAS DEMONSTRATED COMPETENCY IN THE CONTENT AREA. IF THE
15 RECEIVING SCHOOL DOES NOT GRANT A WAIVER TO A CHILD WHO WOULD
16 QUALIFY TO GRADUATE FROM THE SENDING SCHOOL, THE EDUCATION
17 PROVIDER **IS ENCOURAGED TO** PROVIDE AN ALTERNATIVE MEANS OF
18 ACQUIRING THE REQUIRED COURSE WORK OR COMPETENCY REQUIREMENTS
19 SO THAT **TIMELY GRADUATION MAY OCCUR.** **■** The receiving ~~school or~~
20 ~~school district~~ EDUCATION PROVIDER awarding THE DIPLOMA may award
21 elective credit for any portion of the student's certified course work that
22 is not aligned with the curriculum of the receiving ~~school or school~~
23 ~~district~~ EDUCATION PROVIDER OR FOR DEMONSTRATED COMPETENCIES
24 THAT ARE NOT ALIGNED WITH THE RECEIVING EDUCATION PROVIDER.

25 (d) IF A STUDENT IN OUT-OF-HOME PLACEMENT WHO IS
26 TRANSFERRING AT THE BEGINNING OF OR DURING TWELFTH GRADE IS
27 INELIGIBLE TO GRADUATE FROM THE RECEIVING EDUCATION **PROVIDER,**

1 THE EDUCATION PROVIDER MAY REQUEST A DIPLOMA FROM A PREVIOUSLY
2 ATTENDED EDUCATION PROVIDER AND THE PREVIOUSLY ATTENDED
3 EDUCATION PROVIDER MAY ISSUE A DIPLOMA IF THE STUDENT MEETS THE
4 EDUCATION PROVIDER'S GRADUATION REQUIREMENTS.

5 (7) ~~A school district or school~~ AN EDUCATION PROVIDER in which
6 a student in out-of-home placement is enrolled shall waive all fees that
7 would otherwise be assessed against the student, including but not limited
8 to any general fees, fees for books, fees for lab work, fees for
9 participation in in-school or extracurricular activities, and fees for
10 before-school or after-school programs. The ~~school district or school~~
11 EDUCATION PROVIDER shall not limit the opportunity of a student in
12 out-of-home placement to participate in in-school and extracurricular
13 activities and before-school and after-school programs due to waiver
14 of the participation fees.

15 (8) THE DEPARTMENT OF EDUCATION AND THE DEPARTMENT OF
16 HUMAN SERVICES SHALL ENTER INTO A DATA-SHARING AGREEMENT THAT
17 ENSURES THAT INDIVIDUAL DATA RELEVANT TO STUDENTS IN
18 OUT-OF-HOME PLACEMENT IS SHARED AT THE STATE LEVEL FOR PURPOSES
19 OF ACCOUNTABILITY, PROGRAM IMPROVEMENT, AND RESEARCH.

20 (9) SCHOOL DISTRICTS AND THE STATE CHARTER SCHOOL
21 INSTITUTE SHALL COORDINATE WITH COUNTY DEPARTMENTS TO
22 ESTABLISH SYSTEMS-LEVEL PLANS FOR HOW NECESSARY TRANSPORTATION
23 TO THE SCHOOL OF ORIGIN IS PROVIDED, ARRANGED, AND FUNDED FOR THE
24 DURATION OF A CHILD'S OR YOUTH'S TIME AS A STUDENT IN OUT-OF-HOME
25 PLACEMENT, INCLUDING THE EQUITABLE ALLOCATION OF COSTS.

26 **SECTION 3.** In Colorado Revised Statutes, **add** 22-32-138.5 as
27 follows:

1 **22-32-138.5. Educational stability grant program - application**
2 **- grants - fund created - rules - report.** (1) THERE IS CREATED WITHIN
3 THE DEPARTMENT OF EDUCATION THE EDUCATIONAL STABILITY GRANT
4 PROGRAM, REFERRED TO IN THIS SECTION AS THE "GRANT PROGRAM", TO
5 PROVIDE GRANT MONEY TO [REDACTED] EDUCATION PROVIDERS TO USE IN
6 PROVIDING ACADEMIC AND SOCIAL-EMOTIONAL SERVICES AND SUPPORTS
7 TO HIGHLY MOBILE STUDENTS. SUBJECT TO AVAILABLE APPROPRIATIONS,
8 COMMENCING WITH THE 2019-20 FISCAL YEAR, THE STATE BOARD OF
9 EDUCATION SHALL AWARD EDUCATIONAL STABILITY GRANTS TO
10 PRESCHOOL, ELEMENTARY, AND SECONDARY EDUCATION PROVIDERS FROM
11 MONEY APPROPRIATED FROM THE EDUCATIONAL STABILITY GRANT
12 PROGRAM FUND CREATED IN SUBSECTION (4) OF THIS SECTION.

13 (2) THE STATE BOARD OF EDUCATION SHALL ADOPT RULES
14 PURSUANT TO THE "STATE ADMINISTRATIVE PROCEDURE ACT", ARTICLE
15 4 OF TITLE 24, FOR IMPLEMENTATION OF THE GRANT PROGRAM. AT A
16 MINIMUM, THE RULES SHALL INCLUDE:

17 (a) TIMELINES AND PROCEDURES BY WHICH AN EDUCATION
18 PROVIDER MAY APPLY FOR A GRANT;

19 (b) THE INFORMATION TO BE INCLUDED ON GRANT APPLICATIONS,
20 INCLUDING AT A MINIMUM:

21 (I) THE NUMBER OF HIGHLY MOBILE STUDENTS THE EDUCATION
22 PROVIDER SERVED IN THE PREVIOUS SCHOOL YEAR, WHICH SHALL INCLUDE
23 CHILDREN OR YOUTH WHO AT ANY TIME DURING THE ACADEMIC YEAR
24 WERE HOMELESS, AS DEFINED IN SECTION 22-1-102.5; WERE IN
25 NONCERTIFIED KINSHIP CARE, AS DEFINED IN SECTION 19-1-103; WERE
26 STUDENTS IN OUT-OF-HOME PLACEMENT, [REDACTED] AS DEFINED IN SECTION
27 22-32-138; OR WERE MIGRANT CHILDREN, AS DEFINED IN SECTION

1 22-23-103;

2 (II) A DESCRIPTION OF SERVICES TO BE PROVIDED THROUGH THE
3 GRANT, INCLUDING A DESCRIPTION OF INNOVATIVE PRACTICES TO ADDRESS
4 BARRIERS FOR STUDENTS IN OUT-OF-HOME PLACEMENT;

5 (III) A DESCRIPTION OF THE NEED FOR THE SERVICES TO BE
6 PROVIDED THROUGH THE GRANT;

7 (IV) AN ESTIMATED COST TO PROVIDE SERVICES THROUGH THE
8 GRANT;

9 (V) CRITERIA FOR MEASUREMENT OF THE EFFECTIVENESS OF
10 SERVICES PROVIDED THROUGH THE GRANT;

11 (VI) A DESCRIPTION OF THE EDUCATION PROVIDER'S EXISTING
12 POLICIES AND PRACTICES RELATING TO THE TRANSFER OF STUDENT
13 RECORDS BETWEEN EDUCATION PROVIDERS;

14 (VII) THE EDUCATION PROVIDER'S COLLABORATION WITH COUNTY
15 DEPARTMENTS TO MAKE BEST-INTEREST DETERMINATIONS AND TO
16 PROVIDE TRANSPORTATION, WHEN NEEDED;

17 (VIII) THE PROVISION OF SERVICES FOR STUDENTS IN
18 OUT-OF-HOME PLACEMENT WHO RECEIVE SPECIAL EDUCATION SERVICES;

19 (IX) ACCESS TO EXTRACURRICULAR ACTIVITIES FOR STUDENTS IN
20 OUT-OF-HOME PLACEMENT; AND

21 (X) TRANSITION PRACTICES RELATING TO SCHOOL MOVES FOR
22 STUDENTS IN OUT-OF-HOME PLACEMENT.

23 (3) EACH EDUCATION PROVIDER THAT SEEKS A GRANT PURSUANT
24 TO THIS SECTION MUST SUBMIT AN APPLICATION TO THE DEPARTMENT OF
25 EDUCATION IN ACCORDANCE WITH THE RULES ADOPTED BY THE STATE
26 BOARD OF EDUCATION. THE DEPARTMENT OF EDUCATION SHALL REVIEW
27 THE GRANT APPLICATIONS RECEIVED AND RECOMMEND GRANT RECIPIENTS

1 AND GRANT AMOUNTS TO THE STATE BOARD. THE STATE BOARD SHALL
2 ANNUALLY AWARD GRANTS THROUGH THE GRANT PROGRAM AFTER
3 CONSIDERING THE DEPARTMENT'S RECOMMENDATIONS.

4 (4) (a) THE EDUCATIONAL STABILITY GRANT PROGRAM FUND,
5 REFERRED TO IN THIS SECTION AS THE "FUND", IS CREATED IN THE STATE
6 TREASURY. THE FUND CONSISTS OF ANY MONEY CREDITED TO THE FUND
7 PURSUANT TO SUBSECTION (4)(b) OF THIS SECTION AND ANY MONEY THAT
8 THE GENERAL ASSEMBLY MAY APPROPRIATE OR TRANSFER TO THE FUND,
9 INCLUDING MONEY FROM THE MARIJUANA TAX CASH FUND CREATED IN
10 SECTION 39-28.8-501. SUBJECT TO ANNUAL APPROPRIATION BY THE
11 GENERAL ASSEMBLY, THE DEPARTMENT OF EDUCATION MAY EXPEND
12 MONEY FROM THE FUND FOR THE PURPOSES OF THIS SECTION.

13 (b) THE DEPARTMENT OF EDUCATION MAY SEEK, ACCEPT, AND
14 EXPEND GIFTS, GRANTS, OR DONATIONS FROM PRIVATE OR PUBLIC SOURCES
15 FOR THE PURPOSES OF THIS SECTION. THE DEPARTMENT OF EDUCATION
16 SHALL TRANSMIT ALL MONEY RECEIVED THROUGH GIFTS, GRANTS, OR
17 DONATIONS TO THE STATE TREASURER, WHO SHALL CREDIT THE MONEY TO
18 THE FUND.

19 (c) THE DEPARTMENT OF EDUCATION MAY EXPEND MONEY
20 ANNUALLY APPROPRIATED FROM THE FUND FOR REASONABLE AND
21 NECESSARY ADMINISTRATIVE EXPENSES INCURRED IN IMPLEMENTING THIS
22 SECTION AND IN EVALUATING AND PROVIDING TECHNICAL ASSISTANCE TO
23 EDUCATION PROVIDERS THAT RECEIVE GRANTS PURSUANT TO THIS
24 SECTION.

25 (d) ANY MONEY IN THE FUND NOT EXPENDED FOR THE PURPOSES
26 OF THIS SECTION MAY BE INVESTED BY THE STATE TREASURER AS
27 PROVIDED BY LAW. THE STATE TREASURER SHALL CREDIT ALL INTEREST

1 AND INCOME DERIVED FROM THE DEPOSIT AND INVESTMENT OF MONEY IN
2 THE FUND TO THE FUND.

3 (e) THE DEPARTMENT OF EDUCATION IS ENCOURAGED TO DIRECT
4 TO THE FUND ANY FEDERAL MONEY RECEIVED BY THE DEPARTMENT THAT
5 MAY BE USED FOR THE PURPOSES SPECIFIED IN THIS SECTION.

6 (5) (a) ON OR BEFORE MARCH 31, 2019, AND ON OR BEFORE
7 MARCH 31 EACH YEAR THEREAFTER, THE DEPARTMENT OF EDUCATION
8 SHALL EVALUATE THE EDUCATIONAL STABILITY SERVICES PROVIDED BY
9 EACH EDUCATION PROVIDER THAT RECEIVED A GRANT PURSUANT TO THIS
10 SECTION IN THE PRECEDING FISCAL YEAR; EXCEPT THAT THE DEPARTMENT
11 OF EDUCATION NEED NOT PROVIDE AN EVALUATION FOR ANY FISCAL YEAR
12 IN WHICH GRANTS WERE NOT AWARDED. AT A MINIMUM, THE DEPARTMENT
13 OF EDUCATION SHALL REVIEW:

14 (I) THE OUTCOMES AND EFFECTIVENESS OF THE SERVICES
15 PROVIDED AS MEASURED BY THE DEMONSTRATED DEGREE OF
16 EDUCATIONAL STABILITY;

17 (II) THE IMPROVEMENT IN SCHOOL ATTENDANCE;

18 (III) THE REDUCTION IN BEHAVIORAL AND DISCIPLINE INCIDENTS;

19 (IV) THE INCREASE IN GRADE-LEVEL PROMOTION;

20 (V) THE REDUCTION IN THE DROPOUT RATE; AND

21 (VI) THE INCREASE IN THE GRADUATION AND COMPLETION RATES
22 FOR THE GRANT RECIPIENTS' SCHOOLS.

23 (b) (I) THE DEPARTMENT OF EDUCATION SHALL REPORT THE
24 EVALUATION RESULTS TO THE EDUCATION COMMITTEES OF THE SENATE
25 AND OF THE HOUSE OF REPRESENTATIVES, OR ANY SUCCESSOR
26 COMMITTEES, IN CONJUNCTION WITH THE REPORT SUBMITTED PURSUANT
27 TO SECTION 22-14-111.

1 (II) NOTWITHSTANDING THE PROVISIONS OF SECTION 24-1-136
2 (11)(a)(I), THE REPORT REQUIRED PURSUANT TO SUBSECTION (5)(b)(I) OF
3 THIS SECTION CONTINUES INDEFINITELY.

4 **SECTION 4.** In Colorado Revised Statutes, 19-3-208, **amend**
5 (2)(b) introductory portion, (2)(b)(IV), and (2)(b)(V); and **add** (1.5),
6 (2)(b)(VI), and (3) as follows:

7 **19-3-208. Services - county required to provide - rules -**
8 **definitions.** (1.5) AS USED IN THIS SECTION, UNLESS THE CONTEXT
9 OTHERWISE REQUIRES:

10 (a) "SCHOOL OF ORIGIN" HAS THE SAME MEANING AS PROVIDED IN
11 SECTION 22-32-138.

12 (b) "STUDENT IN OUT-OF-HOME PLACEMENT" HAS THE SAME
13 MEANING AS PROVIDED IN SECTION 22-32-138.

14 (2) (b) The following services ~~shall~~ MUST be available and
15 provided, as determined necessary and appropriate by individual case
16 plans: ~~commencing on or after July 1, 1993:~~

17 (IV) Visitation services for parents with children OR YOUTH in
18 out-of-home placement; ~~and~~

19 (V) Placement services including foster care and emergency
20 shelter; AND

21 (VI) SERVICES INCLUDING BUT NOT LIMITED TO TRANSPORTATION
22 AND CASE PLANNING, AS NECESSARY FOR A STUDENT IN OUT-OF-HOME
23 PLACEMENT TO REMAIN IN HIS OR HER SCHOOL OF ORIGIN, UNLESS THE
24 COUNTY DEPARTMENT DETERMINES THAT REMAINING IN THE SCHOOL OF
25 ORIGIN IS NOT IN THE STUDENT'S BEST INTEREST.

26 (3) (a) THE STATE BOARD OF HUMAN SERVICES SHALL
27 PROMULGATE RULES CREATING A STANDARD AND DELIBERATE PROCESS

1 FOR DETERMINING, IN COORDINATION WITH THE EDUCATION PROVIDER,
2 PARENTS, IF APPROPRIATE, GUARDIAN AD LITEM, AND THE CHILD OR
3 YOUTH, WHETHER IT IS IN THE BEST INTEREST OF A CHILD OR YOUTH IN
4 OUT-OF-HOME PLACEMENT TO REMAIN IN HIS OR HER SCHOOL OF ORIGIN
5 WHEN THE CHILD OR YOUTH IS PLACED IN OUT-OF-HOME PLACEMENT OR
6 EXPERIENCES A CHANGE IN PLACEMENT.

7 (b) EACH COUNTY DEPARTMENT OF HUMAN OR SOCIAL SERVICES
8 SHALL COORDINATE WITH SCHOOL DISTRICTS AND THE STATE CHARTER
9 SCHOOL INSTITUTE TO ESTABLISH SYSTEMS-LEVEL PLANS FOR HOW
10 NECESSARY TRANSPORTATION TO A SCHOOL OF ORIGIN WILL BE PROVIDED,
11 ARRANGED, AND FUNDED FOR THE DURATION OF A CHILD OR YOUTH'S TIME
12 AS A STUDENT IN OUT-OF-HOME PLACEMENT, INCLUDING THE EQUITABLE
13 ALLOCATION OF COSTS.

14 (c) THE DEPARTMENT OF HUMAN SERVICES SHALL PROVIDE
15 TECHNICAL ASSISTANCE AND COMPLIANCE MONITORING FOR THE COUNTY
16 DEPARTMENTS OF HUMAN OR SOCIAL SERVICES TO ENSURE THAT COUNTY
17 DEPARTMENTS OF HUMAN OR SOCIAL SERVICES ARE PROPERLY
18 IMPLEMENTING THIS SUBSECTION (3), INCLUDING ADMINISTERING FUNDS
19 TO ALLOW STUDENTS IN OUT-OF-HOME PLACEMENT TO REMAIN IN THEIR
20 SCHOOLS OF ORIGIN, WITH TRANSPORTATION PROVIDED.

21 (d) ANY STATE FUNDS EXPENDED PURSUANT TO THIS SECTION FOR
22 CHILDREN ELIGIBLE UNDER TITLE IV-E OF THE FEDERAL "SOCIAL
23 SECURITY ACT", AS AMENDED, SHALL BE COUNTED TO SATISFY MATCHING
24 REQUIREMENTS FOR FEDERAL FUNDS RECEIVED PURSUANT TO THAT ACT.

25 **SECTION 5.** In Colorado Revised Statutes, **amend 22-1-102.5**
26 as follows:

27 **22-1-102.5. Definition of homeless child.** (1) The general

1 assembly hereby finds and declares that, because of the growing number
2 of children and families who are homeless in Colorado, there is a need to
3 ensure that all homeless children AND YOUTH receive a proper education.
4 It is the intent of the general assembly that no child OR YOUTH shall be
5 denied the benefits of a free education in the public schools because the
6 child OR YOUTH is homeless.

7 (2) (a) As used in this article 1, unless the context otherwise
8 requires, "homeless child" means:

9 (I) A school-aged child OR YOUTH, INCLUDING PRESCHOOL, who
10 lacks a fixed, regular, and adequate nighttime residence, including but not
11 limited to:

12 (A) A child OR YOUTH who is living in a motel, hotel, or camping
13 ground due to a lack of alternative adequate accommodations;

14 (B) A child OR YOUTH who is living in an emergency or
15 transitional shelter; AND

16 (C) A child OR YOUTH who is abandoned in a hospital; and

17 (D) ~~A child awaiting foster care placement; or~~

18 (II) A school-aged child OR YOUTH, INCLUDING PRESCHOOL, who
19 has a primary nighttime residence that is:

20 (A) A supervised, publicly or privately operated shelter designed
21 to provide temporary living accommodations, including welfare hotels,
22 congregate shelters, and transitional housing for persons with behavioral
23 or mental health disorders; OR

24 (B) ~~An institution that provides a temporary residence for~~
25 ~~individuals intended to be institutionalized; or~~

26 (C) A public or private place not designed for, nor ordinarily used
27 as, a regular sleeping accommodation for human beings, including but not

1 limited to an automobile, a park, an abandoned building, a bus or train
2 station, or a similar setting; OR

3 (III) A CHILD OR YOUTH WHO IS SHARING THE HOUSING OF
4 ANOTHER DUE TO LOSS OF HOUSING, ECONOMIC HARDSHIP, OR FOR SIMILAR
5 REASONS.

6 (b) "Homeless child" shall not include any individual imprisoned
7 or otherwise detained pursuant to an act of congress or a state law.

8 (c) "Homeless child" shall include a migrant school-aged child,
9 INCLUDING PRESCHOOL, who meets the requirements of this subsection
10 (2).

11 (d) "Homeless child" shall include a school-aged child, INCLUDING
12 PRESCHOOL, who meets the requirements of this subsection (2) who is not
13 in the physical custody of a parent or legal guardian.

14 **SECTION 6.** In Colorado Revised Statutes, **amend** 22-33-103.5
15 as follows:

16 **22-33-103.5. Attendance of homeless children and youth.**

17 (1) **Equal access to school.** Nothing in this ~~article~~ ARTICLE 33 shall be
18 construed to prohibit a child OR YOUTH from attending a public school
19 without the payment of tuition solely because the child OR YOUTH is A
20 homeless CHILD as defined in section 22-1-102.5.

21 (2) **Place of residence of a homeless child or youth.** A child OR
22 YOUTH found to be homeless pursuant to the provisions of section
23 22-1-102.5 may be deemed by the school districts described in ~~paragraphs~~
24 ~~(a) and (b) of this subsection (2)~~ THIS SUBSECTION (2), taking into
25 consideration the best interests of the child OR YOUTH, to reside in:

26 (a) The school district where the child OR YOUTH presently seeks
27 shelter or is located; or

1 (b) For so long as the child OR YOUTH remains homeless, the
2 school district in which the child's OR YOUTH'S school of origin is located;
3 except that a child OR YOUTH who, subsequent to becoming homeless,
4 becomes permanently housed in the same school year may be deemed to
5 reside in the school district of the school of origin, but only for the
6 remainder of the school year.

7 (3) **School stability.** In determining the best interests of a
8 homeless child for purposes of subsection (2) of this section, the school
9 districts described in ~~paragraphs (a) and (b) of subsection (2)~~ SUBSECTION
10 (2) of this section shall:

11 (a) To the extent feasible and except when it is against the wishes
12 of the homeless child's parent or legal guardian or against the wishes of
13 an unaccompanied homeless child, keep the homeless child in the
14 homeless child's school of origin;

15 (b) Provide a written explanation IN A MANNER AND FORM
16 UNDERSTANDABLE TO THE PARENT, LEGAL GUARDIAN, OR
17 UNACCOMPANIED HOMELESS CHILD, including a statement regarding the
18 right to appeal pursuant to subsection (4) of this section, to the parent or
19 legal guardian of the homeless child, if the school districts send the
20 homeless child to a school other than the child's OR YOUTH'S school of
21 origin or to a school other than the school requested by the parent or legal
22 guardian;

23 (c) In the case of an unaccompanied homeless child, assure that
24 the homeless ~~child~~ EDUCATION liaison designated by one of the school
25 districts pursuant to subsection (7) of this section assists in the placement
26 or enrollment decisions, considers the school preference of the
27 unaccompanied homeless child, and provides notice of the right to appeal

1 pursuant to subsection (4) of this section to the unaccompanied homeless
2 child.

3 (4) **Disputes.** (a) If a homeless child's parent or legal guardian or
4 an unaccompanied homeless child disagrees with the decision of the
5 school districts pursuant to subsection (2) of this section, the homeless
6 child shall be immediately enrolled in the school selected by the homeless
7 child's parent or legal guardian or, in the case of an unaccompanied
8 homeless child, by the child OR YOUTH, pending resolution of the dispute
9 through the appeal process created by the department of education
10 pursuant to ~~paragraph (b) of this subsection (4)~~ SUBSECTION (4)(b) OF
11 THIS SECTION.

12 (b) Consistent with federal requirements, the department of
13 education shall create an appeal process for a parent or legal guardian of
14 a homeless child or an unaccompanied homeless child to pursue if the
15 parent or legal guardian or the unaccompanied homeless child disagrees
16 with the decision of the school districts pursuant to subsection (2) of this
17 section.

18 (5) **Enrollment and full participation.** (a) The school selected
19 for a homeless child pursuant to this section shall immediately enroll the
20 homeless child, even if the child OR YOUTH HAS MISSED APPLICATION OR
21 ENROLLMENT DEADLINES DURING ANY PERIOD OF HOMELESSNESS OR THE
22 CHILD OR YOUTH lacks records normally required prior to enrollment.
23 ONCE ENROLLED, THE CHILD OR YOUTH MUST HAVE A FULL AND EQUAL
24 OPPORTUNITY TO SUCCEED AT THE SCHOOL.

25 (b) The enrolling school shall immediately contact the school last
26 attended by the homeless child to obtain any records necessary for
27 enrollment.

1 (c) If the homeless child's immunizations are incomplete or if the
2 homeless child's immunization records are unavailable, the enrolling
3 school shall arrange for such immunizations as may be necessary.

4 (6) **Transportation.** (a) If it is determined pursuant to subsection
5 (2) of this section that the best interest of a homeless child is to continue
6 his or her education at the school of origin, INCLUDING PRESCHOOL, and
7 the homeless child presently seeks shelter or is located in another school
8 district, and the homeless child's parent or legal guardian or the homeless
9 ~~child~~ EDUCATION liaison, on behalf of an unaccompanied homeless child,
10 requests transportation to and from school, the school district where the
11 homeless child presently seeks shelter or is located and the school district
12 in which the school of origin is located shall agree upon a method to
13 apportion cost and responsibility for the transportation of the homeless
14 child to the school district where the homeless child is attending, or, in
15 the alternative, each school district shall share equally in the cost and
16 responsibility for transportation.

17 (b) If a homeless child continues to reside in the school district in
18 which the school of origin is located, such school district, upon request
19 of the homeless child's parent or legal guardian or upon request of the
20 homeless ~~child~~ EDUCATION liaison, on behalf of an unaccompanied
21 homeless child, shall arrange or provide for transportation of the
22 homeless child to and from school.

23 (7) **Liaison.** The board of education of each school district in the
24 state shall designate one or more of the employees of the school district
25 to act as a homeless ~~child~~ EDUCATION liaison. The homeless ~~child~~
26 EDUCATION liaison shall facilitate a homeless child's access to and success
27 in school. The homeless ~~child~~ EDUCATION liaison shall also assist in the

1 mediation of any disputes concerning school enrollment, assist in making
2 arrangements for transportation of the homeless child to and from school,
3 assist in requesting school and immunization records, and assist any
4 unaccompanied homeless child in making enrollment decisions. On or
5 before the pupil enrollment count day, the homeless ~~child~~ EDUCATION
6 liaison in each school district shall report to the department of education
7 the number of homeless children enrolled in the school district.

8 (8) **Credit accrual and college readiness.** (a) THE HOMELESS
9 EDUCATION LIAISON MUST ENSURE THAT A HOMELESS CHILD OR YOUTH
10 AND AN UNACCOMPANIED HOMELESS CHILD OR YOUTH HAVE THE
11 OPPORTUNITY TO MEET THE SAME STATE ACADEMIC ACHIEVEMENT
12 STANDARDS AS OTHER CHILDREN AND YOUTH BY REMOVING BARRIERS
13 THAT PREVENT A HOMELESS CHILD OR YOUTH AND AN UNACCOMPANIED
14 HOMELESS CHILD OR YOUTH FROM RECEIVING CREDIT FOR FULL OR
15 PARTIAL COURSEWORK.

16 (b) COUNSELING SHALL BE PROVIDED TO A HOMELESS CHILD OR
17 YOUTH AND TO AN UNACCOMPANIED HOMELESS CHILD OR YOUTH TO
18 ASSIST THE HOMELESS CHILD OR YOUTH AND UNACCOMPANIED HOMELESS
19 CHILD OR YOUTH BY ADVISING, PREPARING, AND IMPROVING ACCESS TO
20 POSTSECONDARY OPTIONS.

21 ~~(8)~~ (9) **Definitions.** As used in this section, unless the context
22 otherwise requires:

23 (a) "School of origin" means the school a child OR YOUTH
24 attended at the time the child OR YOUTH became homeless, or, if the child
25 OR YOUTH became homeless during a period that he or she was not
26 attending school, the last school the child OR YOUTH attended prior to
27 becoming homeless.

1 (b) "Unaccompanied homeless child" means a child OR YOUTH
2 who meets the requirements of section 22-1-102.5 who is not in the
3 physical custody of a parent or legal guardian.

4 **SECTION 7. Appropriation.** (1) For the 2018-19 state fiscal
5 year, \$2,817,327 is appropriated to the department of human services.
6 This appropriation consists of \$550,066 cash funds from local funds and
7 \$2,267,261 from temporary assistance for needy families block grant
8 funds. To implement this act, the department may use this appropriation
9 as follows:

10 (a) \$5,558 from temporary assistance for needy families block
11 grant funds for use by the executive director's office for operating
12 expenses;

13 (b) \$61,441 from temporary assistance for needy families block
14 grant funds for use by the division of child welfare for administration,
15 which amount is based on an assumption that the division will require an
16 additional 0.9 FTE; and

17 (c) \$2,750,328, which consists of \$550,066 cash funds from local
18 funds and \$2,200,262 from federal temporary assistance for needy
19 families block grant funds, for use by the division of child welfare for
20 child welfare services.

21 **SECTION 8. Act subject to petition - effective date.** This act
22 takes effect at 12:01 a.m. on the day following the expiration of the
23 ninety-day period after final adjournment of the general assembly (August
24 8, 2018, if adjournment sine die is on May 9, 2018); except that, if a
25 referendum petition is filed pursuant to section 1 (3) of article V of the
26 state constitution against this act or an item, section, or part of this act
27 within such period, then the act, item, section, or part will not take effect

1 unless approved by the people at the general election to be held in
2 November 2018 and, in such case, will take effect on the date of the
3 official declaration of the vote thereon by the governor.