

Second Regular Session  
Seventy-second General Assembly  
STATE OF COLORADO

INTRODUCED

LLS NO. 20-1110.01 Brita Darling x2241

SENATE BILL 20-202

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SENATE SPONSORSHIP

Moreno,

HOUSE SPONSORSHIP

Michaelson Jenet,

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Senate Committees  
Health & Human Services

House Committees

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A BILL FOR AN ACT

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

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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 amends provisions concerning students in out-of-home placement that mandate cooperation between schools and county departments of human services relating to education. Specifically, the bill:

! Amends the definition "student in out-of-home placement" to align with those students in custody of county

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.

- ! departments of human or social services;
- ! Streamlines billing practices for transportation services provided to students in out-of-home placement by requiring the use of invoices and forms approved by both the department of education and the state department of human services; and
- ! Authorizes school districts and the state charter school institute establishing transportation plans with county departments of human or social services, as required by law, to establish transportation plans by region or through a board of cooperative services.

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

2           **SECTION 1.** In Colorado Revised Statutes, 22-32-138, **amend**  
3 (1)(h) and (10); and **add** (2.5) as follows:

4           **22-32-138. Out-of-home placement students - school stability,**  
5 **transfer, and enrollment procedures - absences - exemptions -**  
6 **provision of academic supports - definitions.** (1) As used in this  
7 section and in section 22-32-138.5, unless the context otherwise requires:

8           (h) "Student in out-of-home placement" means a child or youth  
9 who at any time during an academic semester or term is in foster care, ~~and~~  
10 ~~receiving educational services through a state-licensed day treatment~~  
11 ~~facility or who at any time during an academic semester or term is in~~  
12 ~~placement out of the home~~, as that term is defined in section 19-1-103  
13 (85) (51.3), including but not limited to any child or youth who is in  
14 placement outside of the home at any time during an academic semester  
15 or term as a result of an adjudication pursuant to article 2 of title 19.  
16 "Student in out-of-home placement" includes a child or youth who  
17 transfers enrollment as a result of being returned to his or her home at the  
18 conclusion of out-of-home placement.

19           (2.5) STATE AND LOCAL AGENCIES SHALL USE STANDARDIZED

1 FORMS AND INVOICES APPROVED BY BOTH THE DEPARTMENT OF  
2 EDUCATION AND THE STATE DEPARTMENT OF HUMAN SERVICES TO BILL  
3 FOR TRANSPORTATION PROVIDED PURSUANT TO THIS SECTION.

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

14 **SECTION 2. Act subject to petition - effective date.** This act  
15 takes effect at 12:01 a.m. on the day following the expiration of the  
16 ninety-day period after final adjournment of the general assembly (August  
17 5, 2020, if adjournment sine die is on May 6, 2020); except that, if a  
18 referendum petition is filed pursuant to section 1 (3) of article V of the  
19 state constitution against this act or an item, section, or part of this act  
20 within such period, then the act, item, section, or part will not take effect  
21 unless approved by the people at the general election to be held in  
22 November 2020 and, in such case, will take effect on the date of the  
23 official declaration of the vote thereon by the governor.