

CHAPTER 143

SOCIAL SERVICES

HOUSE BILL 94-1142

BY REPRESENTATIVE Morrison;
also SENATOR R. Powers.**AN ACT****CONCERNING A REQUIREMENT THAT A PARTICIPANT IN THE JOB OPPORTUNITY AND BASIC SKILLS (JOBS) PROGRAM WHO IS THE PARENT OR CARETAKER OF AN ELEMENTARY SCHOOL CHILD BE RESPONSIBLE FOR THE EDUCATIONAL PERFORMANCE OF THE CHILD.***Be it enacted by the General Assembly of the State of Colorado:***SECTION 1.** Part 4 of article 2 of title 26, Colorado Revised Statutes, 1989 Repl. Vol., as amended, is amended BY THE ADDITION OF A NEW SECTION to read:**26-2-409.5. Family self-sufficiency - accountability of parent or caretaker relative for educational performance of elementary school-age child.**

(1) (a) THE GENERAL ASSEMBLY HEREBY FINDS THAT THE EDUCATIONAL PERFORMANCE OF A CHILD WHOSE PARENT OR CARETAKER RELATIVE IS A RECIPIENT OF AFDC IS AS IMPORTANT TO A FUNCTIONING FAMILY AS THE SELF-SUFFICIENCY OF THE PARENT OR A CARETAKER RELATIVE.

(b) THEREFORE, IN THE INTEREST OF PROMOTING THE SELF-SUFFICIENCY OF ITS CITIZENS, THE GENERAL ASSEMBLY HEREBY ENACTS THIS SECTION TO REQUIRE THAT PARENTAL OR CARETAKER RELATIVE ACCOUNTABILITY PROVISIONS BE SET FORTH IN THE EMPLOYABILITY PLAN FOR THE PARENT OR CARETAKER RELATIVE THAT IS DEVELOPED PURSUANT TO SECTION 26-2-405 (2) (a) (II).

(2) ON AND AFTER JULY 1, 1994, A COUNTY DEPARTMENT MAY IMPLEMENT AS A COMPONENT OF ITS JOBS PROGRAM THE REQUIREMENT THAT A JOBS PARTICIPANT WHO IS THE PARENT OR CARETAKER RELATIVE OF AN ELEMENTARY SCHOOL CHILD AND WHO RECEIVES AFDC SHALL BE ACCOUNTABLE FOR THE CHILD'S EDUCATIONAL PERFORMANCE. IN ASSESSING THE NEEDS OF A PARTICIPANT IN ACCORDANCE WITH SECTION 26-2-405 (2) (a) (I), A CASE MANAGER SHALL DETERMINE WHETHER A

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

PARTICIPANT IS THE PARENT OR CARETAKER RELATIVE OF AN ELEMENTARY SCHOOL-AGE CHILD. IF SO, THE CASE MANAGER SHALL OBTAIN INFORMATION CONCERNING THE EDUCATIONAL PERFORMANCE OF ANY ELEMENTARY SCHOOL-AGE CHILD OF THE PARTICIPANT.

(3) (a) IF, BASED ON THE INFORMATION PROVIDED IN ACCORDANCE WITH SUBSECTION (2) OF THIS SECTION, THE CASE MANAGER DETERMINES THAT A CHILD'S EDUCATIONAL PERFORMANCE INDICATES A BARRIER TO THE FAMILY'S ABILITY TO ACHIEVE SELF-SUFFICIENCY, THE CASE MANAGER SHALL ADDRESS THAT NEED IN THE PARTICIPANT'S EMPLOYABILITY PLAN IN ACCORDANCE WITH SUBSECTION (4) OF THIS SECTION.

(b) IF, HOWEVER, THE CASE MANAGER DETERMINES THAT ADDITIONAL INFORMATION IS NECESSARY TO ASSESS WHETHER A CHILD'S EDUCATIONAL PERFORMANCE INDICATES A BARRIER TO THE FAMILY'S ABILITY TO ACHIEVE SELF-SUFFICIENCY, THE CASE MANAGER SHALL INCLUDE IN THE PARTICIPANT'S EMPLOYABILITY PLAN PROVISIONS UNDER WHICH THE PARTICIPANT AGREES TO COMPLY WITH THE PROVISIONS OF SUBSECTIONS (4) TO (10) OF THIS SECTION.

(4) THE CASE MANAGER SHALL INCLUDE IN THE PARTICIPANT'S EMPLOYABILITY PLAN SPECIFIC ACTION TO BE TAKEN BY A JOBS PARTICIPANT THAT ADDRESSES IMPROVING A CHILD'S EDUCATIONAL PERFORMANCE.

(5) THE PARTICIPANT, AS A CONDITION UNDER THE EMPLOYABILITY PLAN, SHALL PROVIDE THE JOBS CASE MANAGER WITH INFORMATION CONCERNING THE CHILD'S EDUCATIONAL PERFORMANCE AND WRITTEN AUTHORIZATION FOR THE CASE MANAGER TO OBTAIN VERIFICATION OF INFORMATION FROM THE SCHOOL WHEN NECESSARY. THE INFORMATION MAY INCLUDE, BUT IS NOT LIMITED TO, REPORT CARDS, PROGRESS REPORTS, ATTENDANCE AND CONDUCT REPORTS, OR ANY OTHER REPORTS OR WRITTEN STATEMENTS REGARDING THE CHILD'S EDUCATIONAL PERFORMANCE INCLUDING REPORTS PREPARED BY SCHOOL PERSONNEL REGARDING THE INFORMATION A PARTICIPANT RECEIVES THROUGH PARENT-TEACHER CONFERENCES OR ANY OTHER RELEVANT CONTACT WITH SCHOOL PERSONNEL.

(6) THE ELEMENTARY SCHOOL SHALL PROVIDE THE JOBS CASE MANAGER WITH DOCUMENTATION OR VERIFICATION OF THE INFORMATION DESCRIBED IN SUBSECTION (5) OF THIS SECTION UPON REQUEST OF THE JOBS CASE MANAGER.

(7) THE COUNTY DEPARTMENT OF SOCIAL SERVICES WILL SHARE WITH THE ELEMENTARY SCHOOL INFORMATION CONCERNING THE JOBS PARTICIPANT AND THE PROVISIONS OF THE PARTICIPANT'S EMPLOYABILITY PLAN THAT CONCERN THE EDUCATIONAL PERFORMANCE OF THE PARTICIPANT'S CHILD.

(8) SUPPORT SERVICES DESIGNED TO INCREASE THE INTERACTION BETWEEN A CHILD, THE SCHOOL, AND THE JOBS PARTICIPANT FOR THE PURPOSE OF IMPROVING A CHILD'S EDUCATIONAL PERFORMANCE ARE TO BE AVAILABLE FOR A PARTICIPANT TO THE EXTENT FEASIBLE AND WITHIN AVAILABLE APPROPRIATIONS.

(9) THE PARTICIPANT, APPROPRIATE SCHOOL PERSONNEL, AND THE CASE MANAGER SHALL JOINTLY DETERMINE APPROPRIATE SUPPORT SERVICES.

(10) IN DETERMINING THE APPROPRIATE SERVICES IN ACCORDANCE WITH SUBSECTION (9) OF THIS SECTION, THE CASE MANAGER, APPROPRIATE SCHOOL PERSONNEL, AND THE JOBS PARTICIPANT SHALL JOINTLY DETERMINE WHAT ACTIONS ARE TO BE TAKEN BY EACH PARTY TO PROMOTE SUCCESSFUL EDUCATIONAL PERFORMANCE BY A CHILD. THE CASE MANAGER SHALL SPECIFY EACH PARTY'S RESPONSIBILITIES IN THE EMPLOYABILITY PLAN.

(11) FOR THE PURPOSES OF THIS SECTION, "EDUCATIONAL PERFORMANCE" IS INDICATED BY FACTORS INCLUDING, BUT NOT LIMITED TO, ACADEMIC GRADES, CONDUCT, AND SCHOOL ATTENDANCE.

SECTION 2. No appropriation. The general assembly has determined that this act can be implemented within existing appropriations, and therefore no separate appropriation of state moneys is necessary to carry out the purposes of this act.

SECTION 3. Effective date. This act shall take effect July 1, 1994.

SECTION 4. 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.

Approved: April 19, 1994