

**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**

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**HOUSE SPONSORSHIP**

**Michaelson Jenet,**

**SENATE SPONSORSHIP**

**Coram and Moreno,**

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**House Committees**

Public Health Care & Human Services  
Appropriations

**Senate Committees**

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**A BILL FOR AN ACT**

101 **CONCERNING ENSURING EDUCATIONAL STABILITY FOR STUDENTS IN**  
102 **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 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 to a different school upon placement outside of the home or changes in

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.

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

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

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

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

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

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

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

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

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

25          (2) Therefore, the general assembly declares that implementing a  
26 policy that ensures flexibility and cooperation between the education  
27 system, child welfare system, and families and students is necessary to

1 ensure that students in foster care and other highly mobile student  
2 populations achieve educational success.

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

7 **22-32-138. Out-of-home placement students - school stability,**  
8 **transfer, and enrollment procedures - absences - exemptions -**  
9 **provision of academic supports - definitions.** (1) AS USED IN THIS  
10 SECTION AND IN SECTION 22-32-138.5, UNLESS THE CONTEXT OTHERWISE  
11 REQUIRES:

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

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

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

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

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

24 (f) "SCHOOL" MEANS A PUBLIC SCHOOL OF A SCHOOL DISTRICT, A  
25 SCHOOL OPERATED BY A BOARD OF COOPERATIVE SERVICES PURSUANT TO  
26 ARTICLE 5 OF THIS TITLE 22, AN INSTITUTE CHARTER SCHOOL AUTHORIZED  
27 PURSUANT TO PART 5 OF ARTICLE 30.5 OF THIS TITLE 22, A

1 STATE-LICENSED DAY TREATMENT FACILITY, OR AN APPROVED FACILITY  
2 SCHOOL AS DEFINED IN SECTION 22-2-402 (1).

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

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

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

6 (1.5) **Department of education foster care education**  
7 **coordinator - creation and duties.** THE DEPARTMENT OF EDUCATION  
8 SHALL HIRE A FULL-TIME FOSTER CARE EDUCATION COORDINATOR WHO  
9 HAS THE FOLLOWING DUTIES:

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

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

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

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

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

23 (f) ACTING AS A LIAISON IN COORDINATION WITH THE DEPARTMENT  
24 OF HUMAN SERVICES TO REVIEW COMPLAINTS RELATED TO DISPUTES OVER  
25 TRANSPORTATION AGREEMENTS BETWEEN SCHOOL DISTRICTS AND THE  
26 STATE CHARTER SCHOOL INSTITUTE AND COUNTY DEPARTMENTS.

27 (2) (a) Each school district and the state charter school institute,

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

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

24 (I) RESPONDING TO A COUNTY DEPARTMENT REQUEST FOR INPUT  
25 FROM AN EDUCATION PROVIDER CONCERNING THE DETERMINATION OF  
26 WHETHER IT IS IN THE BEST INTEREST OF THE STUDENT IN [REDACTED] OUT-OF-HOME  
27 PLACEMENT TO REMAIN IN THE SCHOOL OF ORIGIN;

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

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

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

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

27 ~~(H)~~ (V) Participating, OR HAVING HIS OR HER DESIGNEE



1 PARTICIPATE, in any interagency collaboration teams or threat-assessment  
2 teams centered on students IN OUT-OF-HOME PLACEMENT, which teams the  
3 ~~school district~~ EDUCATION PROVIDER may develop or on which teams the  
4 ~~school district~~ EDUCATION PROVIDER may be invited to participate; and

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

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

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

27 (b) Notwithstanding any provision of law to the contrary, without

1 having to obtain a court order, the county department that has legal  
2 custody of a student in out-of-home placement may request that the  
3 ~~school district or school~~ EDUCATION PROVIDER in which the student was  
4 enrolled release the student's education information and records to an  
5 employee of the county department. ~~for the sole purpose of transferring~~  
6 ~~the education information and records to the student's new school.~~ The  
7 ~~school district or school~~ EDUCATION PROVIDER may comply with the  
8 requirements of ~~paragraph (a) of this subsection (3)~~ SUBSECTION (3)(a) OF  
9 THIS SECTION by complying with the county department's request ~~within~~  
10 AS SOON AS POSSIBLE BUT NOT TO EXCEED five school days after receiving  
11 the request.

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

21 (4) (a) Notwithstanding any provision of law, other than  
22 ~~paragraph (b) of this subsection (4)~~ SUBSECTION (4)(b) OF THIS SECTION,  
23 to the contrary, if a student who is in out-of-home placement is ~~either~~  
24 ~~newly placed within a school district or school or required to change~~  
25 ~~schools, due to a change in placement,~~ the ~~school district or school~~  
26 EDUCATION PROVIDER shall enroll the student in school ~~within five school~~  
27 ~~days after receiving the student's education information and records~~

1 IMMEDIATELY, regardless of whether:

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

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

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

1 ~~or school district~~ EDUCATION PROVIDER or for graduation from the  
2 receiving ~~school or school district~~ EDUCATION PROVIDER if the student is  
3 enrolled in twelfth grade.

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

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

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

1 EDUCATION PROVIDER MAY ISSUE A DIPLOMA IF THE STUDENT MEETS THE  
2 EDUCATION PROVIDER'S GRADUATION REQUIREMENTS.

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

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

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

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

26 **22-32-138.5. Educational stability grant program - application**  
27 **- grants - fund created - rules - report.** (1) THERE IS CREATED WITHIN

1 THE DEPARTMENT OF EDUCATION THE EDUCATIONAL STABILITY GRANT  
2 PROGRAM, REFERRED TO IN THIS SECTION AS THE "GRANT PROGRAM", TO  
3 PROVIDE GRANT MONEY TO [REDACTED] EDUCATION PROVIDERS TO USE IN  
4 PROVIDING ACADEMIC AND SOCIAL-EMOTIONAL SERVICES AND SUPPORTS  
5 TO HIGHLY MOBILE STUDENTS. SUBJECT TO AVAILABLE APPROPRIATIONS,  
6 THE STATE BOARD OF EDUCATION SHALL AWARD EDUCATIONAL STABILITY  
7 GRANTS TO PRESCHOOL, ELEMENTARY, AND SECONDARY EDUCATION  
8 PROVIDERS FROM MONEY APPROPRIATED FROM THE EDUCATIONAL  
9 STABILITY GRANT PROGRAM FUND CREATED IN SUBSECTION (4) OF THIS  
10 SECTION.

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

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

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

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

27 (II) A DESCRIPTION OF SERVICES TO BE PROVIDED THROUGH THE

1 GRANT, INCLUDING A DESCRIPTION OF INNOVATIVE PRACTICES TO ADDRESS  
2 BARRIERS FOR STUDENTS IN OUT-OF-HOME PLACEMENT;

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

5 (IV) AN ESTIMATED COST TO PROVIDE SERVICES THROUGH THE  
6 GRANT;

7 (V) CRITERIA FOR MEASUREMENT OF THE EFFECTIVENESS OF  
8 SERVICES PROVIDED THROUGH THE GRANT;

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

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

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

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

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

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

1       CONSIDERING THE DEPARTMENT'S RECOMMENDATIONS.

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

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

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

23           (d) ANY MONEY IN THE FUND NOT EXPENDED FOR THE PURPOSES  
24 OF THIS SECTION MAY BE INVESTED BY THE STATE TREASURER AS  
25 PROVIDED BY LAW. THE STATE TREASURER SHALL CREDIT ALL INTEREST  
26 AND INCOME DERIVED FROM THE DEPOSIT AND INVESTMENT OF MONEY IN  
27 THE FUND TO THE FUND.



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

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

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

15 (II) THE IMPROVEMENT IN SCHOOL ATTENDANCE;

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

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

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

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

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

26 (II) NOTWITHSTANDING THE PROVISIONS OF SECTION 24-1-136  
27 (11)(a)(I), THE REPORT REQUIRED PURSUANT TO SUBSECTION (5)(b)(I) OF

1 THIS SECTION CONTINUES INDEFINITELY.

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

5 **19-3-208. Services - county required to provide - rules -**  
6 **definitions.** (1.5) AS USED IN THIS SECTION, UNLESS THE CONTEXT  
7 OTHERWISE REQUIRES:

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

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

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

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

17 (V) Placement services including foster care and emergency  
18 shelter; AND

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

24 (3) (a) THE STATE BOARD OF HUMAN SERVICES SHALL  
25 PROMULGATE RULES CREATING A STANDARD AND DELIBERATE PROCESS  
26 FOR DETERMINING, IN COORDINATION WITH THE EDUCATION PROVIDER,  
27 PARENTS, IF APPROPRIATE, GUARDIAN AD LITEM, AND THE CHILD OR

1 YOUTH, WHETHER IT IS IN THE BEST INTEREST OF A CHILD OR YOUTH IN  
2 OUT-OF-HOME PLACEMENT TO REMAIN IN HIS OR HER SCHOOL OF ORIGIN  
3 WHEN THE CHILD OR YOUTH IS PLACED IN OUT-OF-HOME PLACEMENT OR  
4 EXPERIENCES A CHANGE IN PLACEMENT.

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

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

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

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

25 **22-1-102.5. Definition of homeless child.** (1) The general  
26 assembly hereby finds and declares that, because of the growing number  
27 of children and families who are homeless in Colorado, there is a need to

1 ensure that all homeless children AND YOUTH receive a proper education.  
2 It is the intent of the general assembly that no child OR YOUTH shall be  
3 denied the benefits of a free education in the public schools because the  
4 child OR YOUTH is homeless.

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

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

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

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

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

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

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

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

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

24 (C) A public or private place not designed for, nor ordinarily used  
25 as, a regular sleeping accommodation for human beings, including but not  
26 limited to an automobile, a park, an abandoned building, a bus or train  
27 station, or a similar setting; OR

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

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

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

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

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

14 **22-33-103.5. Attendance of homeless children and youth.**

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

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

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

26 (b) For so long as the child OR YOUTH remains homeless, the  
27 school district in which the child's OR YOUTH'S school of origin is located;

1 except that a child OR YOUTH who, subsequent to becoming homeless,  
2 becomes permanently housed in the same school year may be deemed to  
3 reside in the school district of the school of origin, but only for the  
4 remainder of the school year.

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

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

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

21 (c) In the case of an unaccompanied homeless child, assure that  
22 the homeless ~~child~~ EDUCATION liaison designated by one of the school  
23 districts pursuant to subsection (7) of this section assists in the placement  
24 or enrollment decisions, considers the school preference of the  
25 unaccompanied homeless child, and provides notice of the right to appeal  
26 pursuant to subsection (4) of this section to the unaccompanied homeless  
27 child.

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

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

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

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

26           (c) If the homeless child's immunizations are incomplete or if the  
27 homeless child's immunization records are unavailable, the enrolling

1 school shall arrange for such immunizations as may be necessary.

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

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

21 (7) **Liaison.** The board of education of each school district in the  
22 state shall designate one or more of the employees of the school district  
23 to act as a homeless ~~child~~ EDUCATION liaison. The homeless ~~child~~  
24 EDUCATION liaison shall facilitate a homeless child's access to and success  
25 in school. The homeless ~~child~~ EDUCATION liaison shall also assist in the  
26 mediation of any disputes concerning school enrollment, assist in making  
27 arrangements for transportation of the homeless child to and from school,



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

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

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

19 ~~(8)~~ (9) **Definitions.** As used in this section, unless the context  
20 otherwise requires:

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

26 (b) "Unaccompanied homeless child" means a child OR YOUTH  
27 who meets the requirements of section 22-1-102.5 who is not in the

1 physical custody of a parent or legal guardian.

2           **SECTION 7. Act subject to petition - effective date.** This act  
3 takes effect at 12:01 a.m. on the day following the expiration of the  
4 ninety-day period after final adjournment of the general assembly (August  
5 8, 2018, if adjournment sine die is on May 9, 2018); except that, if a  
6 referendum petition is filed pursuant to section 1 (3) of article V of the  
7 state constitution against this act or an item, section, or part of this act  
8 within such period, then the act, item, section, or part will not take effect  
9 unless approved by the people at the general election to be held in  
10 November 2018 and, in such case, will take effect on the date of the  
11 official declaration of the vote thereon by the governor.