

**First Regular Session  
Seventy-third General Assembly  
STATE OF COLORADO**

**REREVISED**

*This Version Includes All Amendments  
Adopted in the Second House*

LLS NO. 21-0607.01 Brita Darling x2241

**SENATE BILL 21-117**

**SENATE SPONSORSHIP**

**Moreno**, Buckner, Fields, Ginal, Gonzales, Hansen, Kolker, Pettersen, Story, Winter, Zenzinger

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**Senate Committees**  
Health & Human Services

**House Committees**  
Public & Behavioral Health & Human Services

HOUSE  
3rd Reading Unamended  
April 12, 2021

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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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HOUSE  
2nd Reading Unamended  
April 9, 2021

**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>.)*

SENATE  
3rd Reading Unamended  
March 22, 2021

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

- Amends the definition of "student in out-of-home

SENATE  
2nd Reading Unamended  
March 19, 2021

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" to align with those students in custody of county departments;
- 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, 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) 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 (10) (a) School districts and the state charter school institute shall

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

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

14 **SECTION 2. Safety clause.** The general assembly hereby finds,  
15 determines, and declares that this act is necessary for the immediate  
16 preservation of the public peace, health, or safety.