



Legislative Council Staff

Nonpartisan Services for Colorado's Legislature

Final Fiscal Note

Drafting Number: LLS 23-0452 Date: May 17, 2023
Prime Sponsors: Rep. Young Bill Status: Signed into Law
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Bill Topic: SPECIAL EDUCATION SERVICES FOR STUDENTS IN FOSTER CARE

- Summary of Fiscal Impact: State Revenue, TABOR Refund, State Expenditure, Local Government, State Transfer, School Districts

The bill clarifies school district residency for students who are in foster care and require special education services. The bill increases state and local workload and may shift costs between school districts.

Appropriation Summary: No appropriation is required.

Fiscal Note Status: The fiscal note reflects the enacted bill.

Summary of Legislation

The bill specifies that students in foster care, including students with a disability, are residents of the school they attended at the time of placement into foster care (known as school of origin), as long as the student continues to attend that school. It also requires the Colorado Department of Human Services (CDHS) to convene a working group to identify issues related to foster youth education, transportation, and stability, and to recommend any regulatory or legislative changes prior to the 2025 legislative sessions.

State Expenditures

The bill increases workload for the CDHS to convene and staff a work group, and for a representative of the Colorado Department of Education to participate. The CDHS is required to make recommendations for legislative changes by 2025 and existing staff can handle the workload to support the working group during that time period. The fiscal note assumes that this work will occur within existing stakeholder processes and that no reimbursement or compensation for participants is required. Any workload or costs that cannot be accomplished within existing resources will be requested through the annual budget setting process.

Local Government and School Districts

By aligning a foster student's district of residency and school of origin, the bill clarifies the school district responsible for providing special education services to a foster student and may shift costs between districts. A portion of special education costs are covered by the state; districts receive \$1,750 for each special education student, plus approximately \$4,318 in FY 2022-23 for students with specific disabilities. Any changes to which district is responsible for serving a special education foster student will shift which district receives the state funding for that student. The impact on any individual district will depend on any changes to the number of special education students served, and the needs of those students.

The bill also increase workload for representatives from school districts and county departments of human and social services to serve on the working group.

Effective Date

The bill was signed into law by the Governor and took effect on April 25, 2023.

State and Local Government Contacts

Education

Human Services

Law