



Special Education Services for Foster Youth

Background

The Colorado Department of Human Services, in partnership with counties, operates the state's child welfare system to ensure that all children and youth live in safe, permanent, and stable environments that support their well-being. Statute indicates that a student in an out-of-home placement, such as a foster home, may remain in the school district they attended before the change in placement (known as the "school of origin") even in situations where the new placement location is in a different school district (known as the "school of residence"). The intent of the law is to maintain educational and social stability for the student unless it is determined that remaining in the school of origin is not in the student's best interest.

Issue

The law is not clear on which school district is responsible for funding special education services for youth attending their school of origin instead of their school of residence. This lack of clarity results in students not receiving (or not receiving in a timely manner) access to appropriate special education services for their individual needs. This occurs due to the potential separation of duties between school districts as it relates to determining special education service needs of a student, funding special education services, and providing special education services.

Proposed Solution

The Colorado Department of Human Services seeks a change to statute to designate students engaged in the child welfare system in out-of-home placements needing special education services as residents of the school district that is their school of origin rather than their school of residence. This change ensures that students receive timely access to special education services by consolidating the determination of services needed, the funding of those services, and the provision of those services in the same school district.

Proposal Contact

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