



*Understanding the Foster Care Provisions
in the Every Student Succeeds Act (ESSA)
in Colorado*



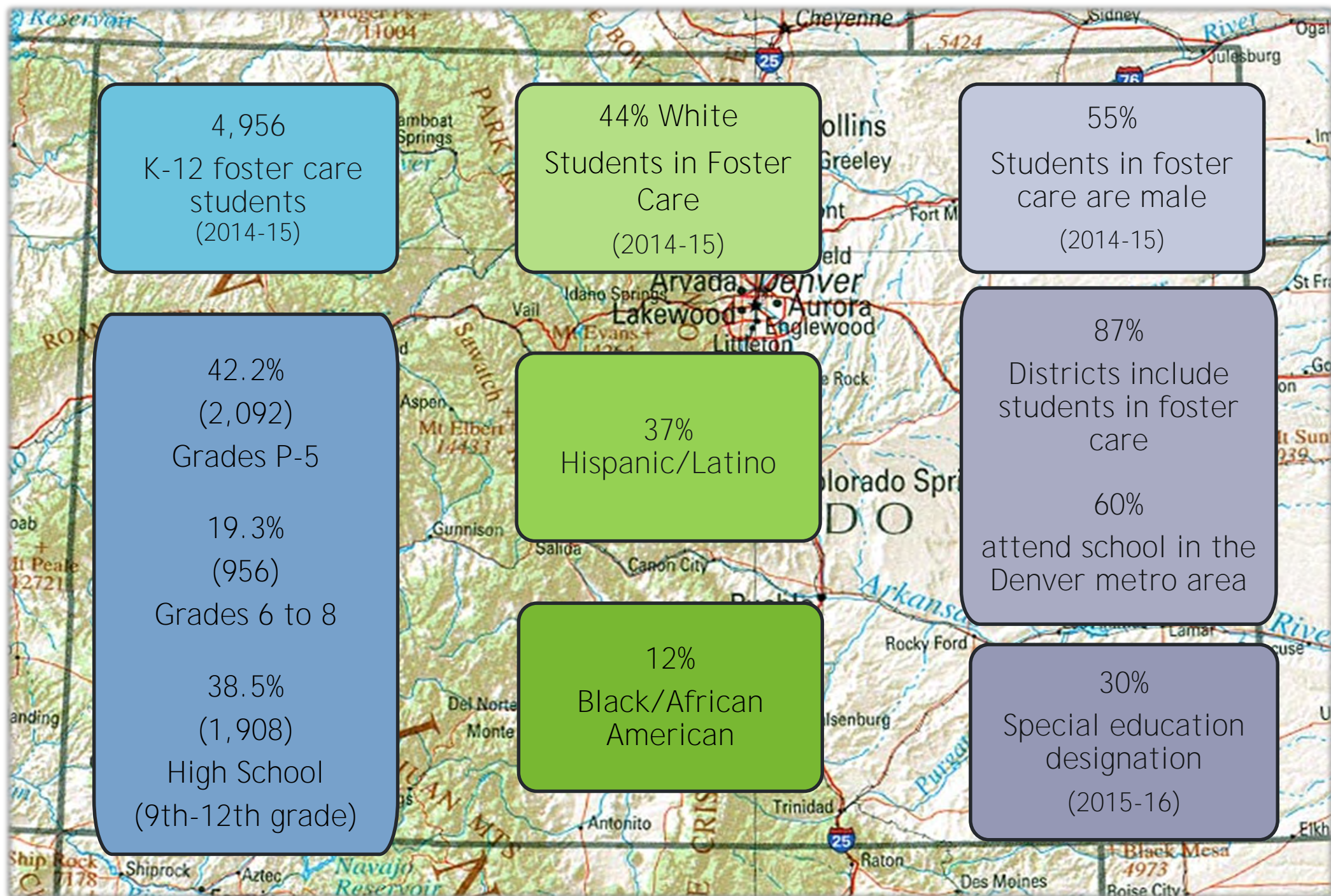
COLORADO
Department of Education

Defining Student in Foster Care

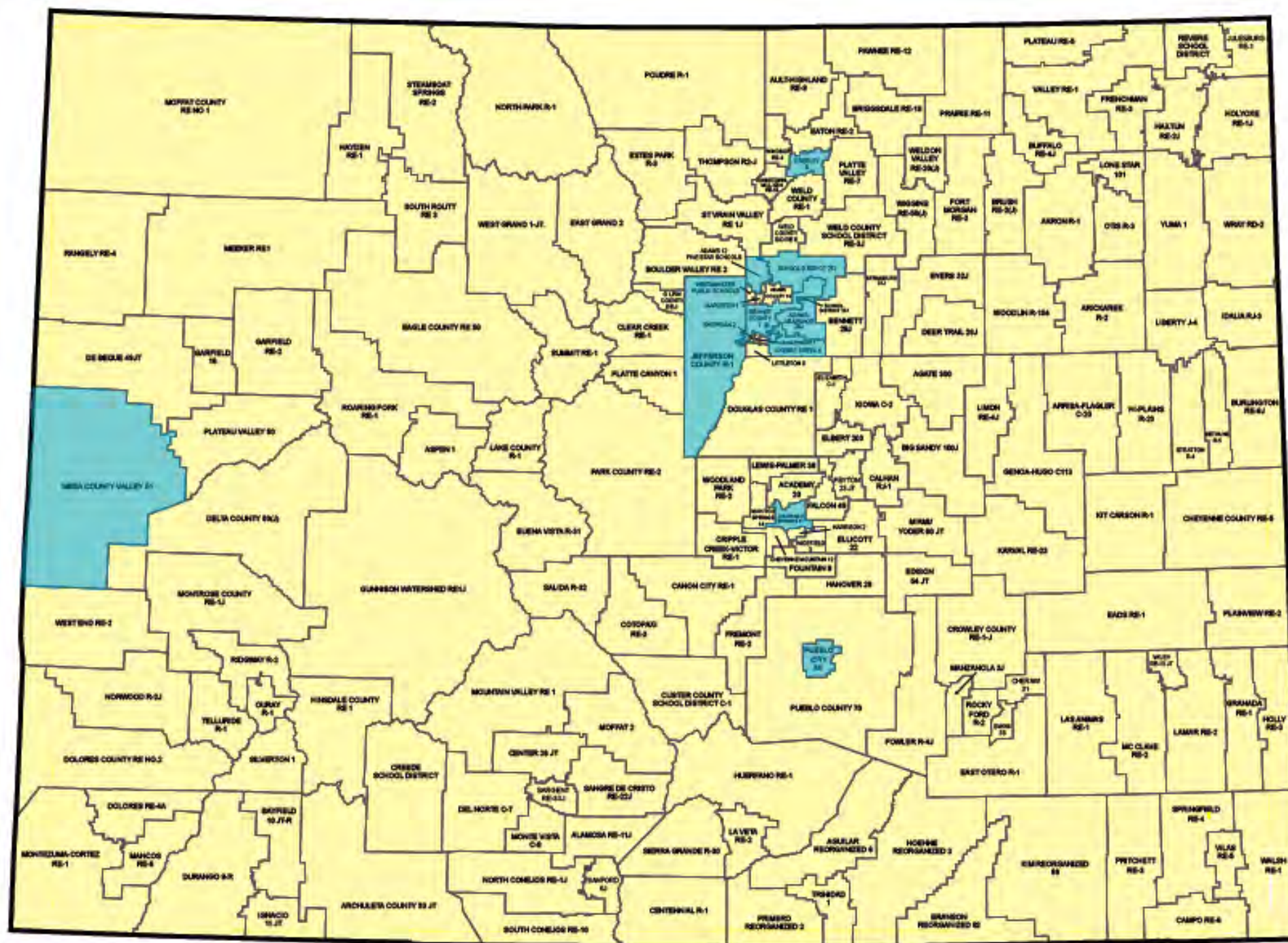
“Student in foster care” means that an individual has experienced an out-of-home placement and has been enrolled in a Colorado public school during the time period or school year referenced.

The foster care placement could be brief, such as a few days, or might occur across multiple years.”

Colorado Foster Care Education Demographics



10 School Districts with 190+ Foster Students Based on 3-year Average (2014-2016)



1. Adams 12
2. Aurora
3. Brighton 27J
4. Cherry Creek
5. Colorado Springs D11
6. Denver
7. Greeley
8. Jeffco
9. Mesa
10. Pueblo 60

Colorado School District Map

Produced by the Colorado Department of Education Web Management Team - June, 2017

Colorado Specific Laws and Resources – School Stability

- State Point of Contact: Kristin Myers, State Coordinator for Foster Care Education at Colorado Department of Education
- LEA Single Point of Contact: C.R.S. 22-32-138 requires each school district and the state charter school institute to designate a person to act as the Child Welfare Education Liaison (CWEL).
- Best Interest Determination: The Colorado Department of Human Services created several sample templates for child welfare agencies and school districts to coordinate transitions and transfers for children and youth in foster care at:
<https://www.colorado.gov/pacific/cdhs/forms-20>

Enrollment Considerations in Colorado

- Immediate Enrollment in School and Transfer of School Records
 - C.R.S. 22-32-138 (2)(a) states CWEL's and Child Welfare Agencies have 5-days to transfer records and enroll students in an out-of-home placement (ESSA states ***immediately***)
 - **Records cannot be withheld** due to outstanding fees at the previous school. *Note: this is now true for ALL Colorado students.*
- Considerations for expelled students C.R.S. 22-32-138 (4)(b)

"May deny enrollment based on the student having been expelled from a district in the preceding twelve months as providing in section 22-33-106 (3)(c) **only if the student was expelled for having drugs or weapons at school for being a danger to self or others...**"

Transportation

- The Colorado Department of Human Services created a sample MOU for districts to use, and can be found at:
<https://www.colorado.gov/pacific/cdhs/forms-20>
- Transportation plans are in varying stages of completion across the state.
- CDE and CDHS are hosting a series of convenings for additional guidance/support.

Fee Waivers in Colorado

- Fee waivers are mandated in Colorado State Statute under C.R.S. 22-32-138.
 - Note: this includes, but is not limited to any general fees, fees for books, fees for lab work, fees for participation in school or extracurricular activities, and fees for before-school or after-school programs.
 - The school district or school shall not limit the opportunity of a student in out-of-home placement to participate in-school and extracurricular activities before-school and after-school programs due to waiver of the participation fees.

School Credit and Absences

- Partial credit must be awarded for coursework completed in previous school
- Absences from school are considered excused for court appearances or participation in court-ordered activities including, but not limited to, family visitation or therapy.

Special considerations

- Are parental rights still in tact? How much should that parent be included in the educational decisions?
- Students on an IEP
- Students in facility schools or residential treatment
- School of origin definition and considerations
- Contact information and flow of communication

Non-Regulatory Guidance

- ESSA guidance encourages educational and child welfare agencies to consider ways to support better outcomes for student in foster care and facilitate successful transitions from the elementary and secondary education to college and careers.
- View the full document: [Non-Regulatory Guidance](#)

Contact Us!

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