



Colorado Legislative Council Staff Fiscal Note
**STATE and LOCAL
 FISCAL IMPACT**

Drafting Number: LLS 10-0634
Prime Sponsor(s): Rep. Schafer S.
 Sen. Johnston

Date: February 16, 2010
Bill Status: House Education
Fiscal Analyst: David Porter (303-866-4375)

TITLE: CONCERNING SUCCESSFUL TRANSITIONS BACK TO THE PUBLIC SCHOOL SYSTEM FOR JUVENILES IN OUT-OF-HOME PLACEMENT WHO HAVE DEMONSTRATED BEHAVIOR THAT IS DETRIMENTAL TO THE SAFETY OR WELFARE OF THEMSELVES OR OTHERS DURING THE PREVIOUS TWELVE MONTHS.

Fiscal Impact Summary	FY 2010-2011	FY 2011-2012
State Revenue		
State Expenditures		
FTE Position Change		
Effective Date: August 11, 2010, assuming the General Assembly adjourns May 12, 2010, as scheduled and no referendum petition is filed.		
Appropriation Summary for FY 2010-2011: None required.		
Local Government Impact: See Local Government Impact section.		

Summary of Legislation

HB10-1274 addresses the transition of an "identified juvenile" from out-of-home placement to a school. Generally, an identified juvenile is a child under the age of 18 who is considered a risk to himself or herself, or the community.

The bill requires that the Department of Human Services (DHS) provide a school district with notice of an identified juvenile's enrollment at least 10 business days in advance. If the court orders an emergency placement, the DHS must notify a district at least 5 business days in advance of enrolling. During this period, the school district is encouraged to gather information about the new student in order to develop a transition plan. The DHS must work cooperatively with the school district to ensure appropriate placement of the student and provide information used in developing the plan.

By September 15, 2010, the DHS and Colorado Department of Education (CDE) are to enter into a memorandum of understanding regarding identified juveniles. The memorandum is to include:

- P a consistent and uniform method of sharing information to facilitate development of a transition plan;
- P a plan to use existing state and federal data and other information-sharing activities;
- P a process to address disagreements between the county department of social services and the school district; and
- P an accountability plan concerning the 10- and 5-day notifications.

State Expenditures

Emergency Transitions. This bill may create additional state expenditures for juveniles in the child welfare system who need to be placed in a school district in less than 10 or 5 days. For these cases, it is possible that during the notification period of 10 or 5 days, the foster care provider may request reimbursement for time away from work. Costs are estimated between \$45 and \$60 per day, which is up to \$600 per placement. However, this fiscal note assumes that such cases will be infrequent and will often be resolved through means other than reimbursement of the foster care provider.

Memorandum of Understanding. The CDE and DHS are to develop and enter into a memorandum of understanding. It is expected that developing the memorandum of understanding will require some time from each department's staff; however, this can be addressed within existing appropriations.

Local Government Impact

Both school districts and county departments of social services are to work together in the transition of identified juveniles. The county will need to provide information about the new student and may assist the school district and school when developing a transition plan for him or her. This fiscal note assumes the process outlined by this bill will not require substantially more effort for the school district, school, or county personnel.

Departments Contacted

Education

Judicial

Human Services