

First Regular Session
Sixty-ninth General Assembly
STATE OF COLORADO

INTRODUCED

LLS NO. 13-0030.01 Julie Pelegrin x2700

HOUSE BILL 13-1021

HOUSE SPONSORSHIP

Fields,

SENATE SPONSORSHIP

Hudak,

House Committees

Education

Appropriations

Senate Committees

A BILL FOR AN ACT

101 **CONCERNING MEASURES TO ENSURE THAT STUDENTS COMPLY WITH**
102 **COMPULSORY SCHOOL ATTENDANCE REQUIREMENTS, AND, IN**
103 **CONNECTION THEREWITH, REQUIRING SCHOOLS TO ADDRESS**
104 **HABITUAL TRUANCY THROUGH A MULTIDISCIPLINARY PLAN,**
105 **LIMITING THE LENGTH OF DETENTION THAT A COURT MAY**
106 **IMPOSE TO ENFORCE COMPULSORY SCHOOL ATTENDANCE,**
107 **ALLOWING STUDENTS WHO ARE UNDER JUVENILE COURT**
108 **JURISDICTION TO OBTAIN A GED, AND SPECIFYING MINIMUM**
109 **REQUIREMENTS FOR EDUCATION SERVICES PROVIDED IN**
110 **JUVENILE DETENTION FACILITIES.**

Bill Summary

Shading denotes HOUSE amendment. Double underlining denotes SENATE amendment.
Capital letters indicate new material to be added to existing statute.
Dashes through the words indicate deletions from existing statute.

(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://www.leg.state.co.us/bills/summaries>.)

The bill requires each school district to monitor student attendance and to identify:

- ! each student who is chronically absent. A student is chronically absent if he or she is absent, excused or unexcused, for 10 percent or more of the school year;
- ! each student who has a significant number of unexcused absences; and
- ! each student who is habitually truant. A student is habitually truant if he or she has 4 unexcused absences in one month or 10 unexcused absences in a school year.

If a student is chronically absent, the school district must implement best practices and research-based strategies to improve the student's attendance.

If a student is habitually truant, the school district shall contact the local collaborative management group, juvenile support services group, or other local community services group to coordinate the creation of a multidisciplinary plan to improve the student's school attendance.

A school district shall initiate court proceedings to enforce school attendance requirements but only if implementation of the student's multidisciplinary plan is unsuccessful. If a school district initiates court proceedings, it must submit evidence of the student's attendance record and the efforts made to improve the student's attendance. If the court issues an order to compel attendance, the order must also require the parent and student to cooperate in implementing the multidisciplinary plan. Under current law, the court may sentence the student to detention if the student does not comply with the valid court order. The bill limits the term of detention to no more than 5 days.

Under current law, a person who is 17 years of age or older may take the GED. A student who is 16 years of age may take the GED, but only if the student provides evidence that the GED is necessary for the student to participate in an educational or vocational program. Under the bill, a student who is 16 years of age and who is under the jurisdiction of the juvenile court may take the GED if the judicial officer or administrative hearing officer finds it is in the student's best interest to do so.

The bill clarifies that a school district that is required to provide educational services to a juvenile detention facility shall provide the services for a number of hours that is comparable to the compulsory school attendance requirements and shall provide educational services

that align with, and are designed to enable the juveniles to meet, the state model content standards.

1 *Be it enacted by the General Assembly of the State of Colorado:*

2 **SECTION 1.** In Colorado Revised Statutes, 22-33-104, **amend**
3 (4) as follows:

4 **22-33-104. Compulsory school attendance.** (4) (a) The board
5 of education shall adopt a written policy setting forth the district's
6 attendance requirements. ~~Said policy shall provide for~~ THE BOARD OF
7 EDUCATION SHALL ENSURE THAT, AT A MINIMUM, THE ATTENDANCE
8 POLICY APPLIES TO ELEMENTARY AND SECONDARY STUDENTS AND
9 INCLUDES:

10 (I) A DESCRIPTION OF WHAT IS AN excused ~~absences~~ ABSENCE,
11 including those listed as exclusions from compulsory school attendance
12 in accordance with subsection (2) of this section, AND WHAT IS AN
13 UNEXCUSED ABSENCE;

14 (II) PROCEDURES FOR IDENTIFYING A STUDENT WHO IS
15 CHRONICALLY ABSENT AND FOR IMPLEMENTING BEST PRACTICES AND
16 RESEARCH-BASED STRATEGIES TO IMPROVE THE STUDENT'S ATTENDANCE.
17 FOR PURPOSES OF THIS SUBPARAGRAPH (II), "CHRONICALLY ABSENT"
18 MEANS A STUDENT IS ABSENT, WHETHER EXCUSED OR UNEXCUSED, ON TEN
19 PERCENT OR MORE OF THE SCHOOL DAYS AT ANY POINT IN THE SCHOOL
20 YEAR. CHRONIC ABSENCE IS CALCULATED BY DIVIDING THE NUMBER OF
21 DAYS THE STUDENT IS ABSENT BY THE TOTAL NUMBER OF REGULAR
22 SCHOOL DAYS FOR WHICH THE STUDENT IS ENROLLED AND ON WHICH
23 SCHOOL IS ACTUALLY TAUGHT SINCE THE START OF THE SCHOOL YEAR.

24 (III) ~~An attendance policy developed pursuant to this section may~~
25 ~~include appropriate penalties for nonattendance due to unexcused~~

1 ~~absence.~~ THE PROCEDURES DESCRIBED IN SECTION 22-33-107 (3) THAT
2 SCHOOL DISTRICT PERSONNEL SHALL IMPLEMENT TO ADDRESS THE
3 ATTENDANCE PROBLEMS OF STUDENTS WHO ARE HABITUALLY TRUANT, AS
4 DEFINED IN SECTION 22-33-107 (3) (a) (II); AND

5 (b) (IV) ~~The attendance policy adopted pursuant to this subsection~~
6 ~~(4) shall specify~~ The maximum number of unexcused absences a ~~child~~
7 STUDENT may incur, ~~before the attorney for the school district, the~~
8 ~~attendance officer, or the local board of education may initiate judicial~~
9 ~~proceedings pursuant to section 22-33-108~~ NOT TO EXCEED FOUR
10 UNEXCUSED ABSENCES IN A CALENDAR MONTH OR TEN UNEXCUSED
11 ABSENCES IN A SCHOOL YEAR, BEFORE SCHOOL DISTRICT PERSONNEL MUST
12 IMPLEMENT THE PROCEDURES DESCRIBED IN SECTION 22-33-107 (3).
13 Calculation of the number of unexcused absences a ~~child~~ STUDENT has
14 incurred includes all unexcused absences occurring ~~during any calendar~~
15 ~~year or~~ during any school year.

16 (c) (b) ~~On or before January 1, 2009;~~ The state board shall adopt
17 rules establishing a standardized calculation for counting EXCUSED AND
18 unexcused absences of students, including the circumstance in which a
19 student is absent for part of a school day, and the format for reporting the
20 information to the department pursuant to section 22-33-107. EACH
21 SCHOOL DISTRICT AND EACH PUBLIC SCHOOL SHALL APPLY THE STANDARD
22 CALCULATION THAT THE STATE BOARD ADOPTS BY RULE PURSUANT TO
23 THIS PARAGRAPH (b) TO CALCULATE CHRONIC ABSENCE AND TO
24 CALCULATE THE MAXIMUM NUMBER OF UNEXCUSED ABSENCES ALLOWED
25 PURSUANT TO SUBPARAGRAPH (IV) OF PARAGRAPH (a) OF THIS
26 SUBSECTION (4).

27 **SECTION 2.** In Colorado Revised Statutes, 22-33-107, **amend**

1 (3) as follows:

2 **22-33-107. Enforcement of compulsory school attendance -**
3 **definitions.** (3) (a) As used in this subsection (3): ~~a child~~

4 (I) "LOCAL COMMUNITY SERVICES GROUP" MEANS THE LOCAL
5 JUVENILE SERVICES PLANNING COMMITTEE CREATED PURSUANT TO
6 SECTION 19-2-211, C.R.S., THE LOCAL COLLABORATIVE MANAGEMENT
7 GROUP CREATED BY A MEMORANDUM OF UNDERSTANDING ENTERED INTO
8 PURSUANT TO SECTION 24-1.9-102, C.R.S., OR ANOTHER LOCAL GROUP OF
9 PUBLIC AGENCIES THAT COLLABORATE WITH THE SCHOOL DISTRICT TO
10 IDENTIFY AND PROVIDE SUPPORT SERVICES FOR STUDENTS.

11 (II) "STUDENT who is habitually truant" means a ~~child~~ STUDENT
12 who has attained the age of six years on or before August 1 of the year in
13 question and is under the age of seventeen years ~~having~~ AND WHO HAS
14 four unexcused absences from public school in any one month or ten
15 unexcused absences from public school during any school year. Absences
16 due to suspension or expulsion of a ~~child shall be~~ STUDENT ARE
17 considered excused absences for purposes of this subsection (3).

18 (b) The board of education of each school district shall adopt and
19 implement policies and procedures concerning ~~children~~ ELEMENTARY
20 AND SECONDARY SCHOOL ATTENDANCE, INCLUDING BUT NOT LIMITED TO
21 POLICIES AND PROCEDURES TO WORK WITH STUDENTS who are habitually
22 truant. AT A MINIMUM, EACH BOARD OF EDUCATION SHALL INCLUDE IN the
23 policies and procedures ~~shall include provisions for the development of~~
24 ~~a plan~~ THE FOLLOWING REQUIREMENTS:

25 (I) EACH PUBLIC SCHOOL SHALL MONITOR THE ATTENDANCE OF
26 EACH STUDENT ENROLLED IN THE SCHOOL TO IDENTIFY THOSE STUDENTS
27 WHO HAVE A SIGNIFICANT NUMBER OF UNEXCUSED ABSENCES AND THOSE

1 STUDENTS WHO ARE HABITUALLY TRUANT.

2 (II) EACH PUBLIC SCHOOL SHALL IMPLEMENT BEST PRACTICES AND
3 RESEARCH-BASED STRATEGIES TO IMPROVE THE ATTENDANCE OF EACH
4 STUDENT WHO HAS A SIGNIFICANT NUMBER OF UNEXCUSED ABSENCES
5 BEFORE THE STUDENT IS IDENTIFIED AS BEING HABITUALLY TRUANT.

6 (III) AS SOON AS POSSIBLE AFTER IDENTIFYING A STUDENT WHO IS
7 HABITUALLY TRUANT, SCHOOL OR DISTRICT PERSONNEL SHALL MAKE ALL
8 REASONABLE EFFORTS TO MEET WITH THE STUDENT'S PARENT TO REVIEW
9 AND EVALUATE THE STUDENT'S TRUANCY.

10 (IV) AS SOON AS POSSIBLE AFTER IDENTIFYING A STUDENT WHO IS
11 HABITUALLY TRUANT, SCHOOL OR DISTRICT PERSONNEL SHALL CONTACT
12 THE LOCAL COMMUNITY SERVICES GROUP. SCHOOL OR DISTRICT
13 PERSONNEL SHALL COORDINATE WITH THE LOCAL COMMUNITY SERVICES
14 GROUP TO CONVENE A MULTIDISCIPLINARY TEAM TO WORK WITH THE
15 STUDENT'S PARENT, IF POSSIBLE, TO IDENTIFY THE LIKELY ISSUES
16 UNDERLYING THE STUDENT'S TRUANCY, INCLUDING ANY NONACADEMIC
17 ISSUES. BASED ON THE IDENTIFIED ISSUES, THE MULTIDISCIPLINARY TEAM
18 AND THE STUDENT'S PARENT, IF POSSIBLE, SHALL CREATE A
19 MULTIDISCIPLINARY PLAN THAT IDENTIFIES SUPPORT SERVICES FOR THE
20 STUDENT OR THE STUDENT'S FAMILY, IF APPROPRIATE, TO ADDRESS THE
21 ISSUES UNDERLYING THE STUDENT'S TRUANCY AND IMPROVE THE
22 STUDENT'S SCHOOL ATTENDANCE. THE MULTIDISCIPLINARY TEAM SHALL
23 DEVELOP the plan ~~shall be developed~~ with the goal of assisting the ~~child~~
24 STUDENT to remain in school ~~and, when practicable,~~ with the full
25 participation of the ~~child's~~ STUDENT'S parent. ~~guardian, or legal custodian.~~
26 ~~Appropriate school personnel shall make all reasonable efforts to meet~~
27 ~~with the parent guardian, or legal custodian of the child to review and~~

1 ~~evaluate the reasons for the child's truancy.~~

2 (c) The policies and procedures REQUIRED IN PARAGRAPH (b) OF
3 THIS SUBSECTION (3) may also include, but need not be limited to, the
4 following:

5 (I) ~~(Deleted by amendment, L. 96, p. 1808, § 4, effective July 1,~~
6 ~~1996.)~~

7 (II) Annually at the beginning of the school year and upon ~~any~~
8 enrollment AT ANY TIME during the school year, ~~notifying~~ SENDING
9 WRITTEN NOTICE TO the parent of each ~~child~~ STUDENT enrolled in ~~the~~ A
10 public ~~schools~~ SCHOOL ~~in writing of such~~ EXPLAINING THE parent's
11 obligations pursuant to section 22-33-104 (5) and requesting that the
12 parent acknowledge in writing awareness of ~~such~~ THE obligations AND
13 AWARENESS THAT SERVICES ARE AVAILABLE TO THE PARENT IF ISSUES
14 ARISE WITH THE STUDENT'S ATTENDANCE;

15 (III) Annually at the beginning of the school year and upon any
16 enrollment during the school year, obtaining from the parent of each ~~child~~
17 STUDENT a telephone number or other means of contacting ~~such~~ THE
18 parent during the school day; and

19 (IV) Establishing a system of monitoring individual unexcused
20 absences of ~~children~~ STUDENTS, which shall provide that, whenever a
21 ~~child who is~~ STUDENT enrolled in a public school fails to report to school
22 on a regularly scheduled school day and school personnel have received
23 no indication that the ~~child's~~ STUDENT'S parent is aware of the ~~child's~~
24 STUDENT'S absence, school personnel or volunteers under the direction of
25 school personnel shall make a reasonable effort to notify THE STUDENT'S
26 PARENT by telephone. ~~such parent. Any~~ A person who, in good faith,
27 gives or fails to give notice pursuant to this subparagraph (IV) ~~shall be~~ IS

1 immune from any liability, civil or criminal, ~~which~~ THAT might otherwise
2 be incurred or imposed and ~~shall have~~ HAS the same immunity with
3 respect to any judicial proceeding ~~which results~~ THAT MAY RESULT from
4 ~~such~~ GIVING THE notice or ~~failure to give such~~ FAILING TO GIVE THE
5 notice.

6 **SECTION 3.** In Colorado Revised Statutes, 22-33-108, **amend**
7 (5), (6), and (7) as follows:

8 **22-33-108. Judicial proceedings.** (5) (a) ~~As a last-resort~~
9 ~~approach for addressing the problem of truancy, to be used only after a~~
10 ~~school district has attempted other options for addressing truancy that~~
11 ~~employ best practices and research-based strategies to minimize the need~~
12 ~~for court action and the risk of detention orders against a child or parent,~~
13 ~~court proceedings shall be initiated to compel compliance with the~~
14 ~~compulsory attendance statute after the parent and the child have been~~
15 ~~given written notice by the attendance officer of the school district or of~~
16 ~~the state that proceedings will be initiated if the child does not comply~~
17 ~~with the provisions of this article.~~ IT IS THE INTENT OF THE GENERAL
18 ASSEMBLY THAT, IN ENFORCING THE COMPULSORY SCHOOL ATTENDANCE
19 REQUIREMENTS OF THIS ARTICLE, A SCHOOL DISTRICT SHALL EMPLOY BEST
20 PRACTICES AND RESEARCH-BASED STRATEGIES TO MINIMIZE THE NEED FOR
21 COURT ACTION AND THE RISK THAT A COURT WILL ISSUE DETENTION
22 ORDERS AGAINST A CHILD OR PARENT.

23 (b) A SCHOOL DISTRICT SHALL INITIATE COURT PROCEEDINGS TO
24 COMPEL A CHILD AND THE CHILD'S PARENT TO COMPLY WITH THE
25 ATTENDANCE REQUIREMENTS SPECIFIED IN THIS ARTICLE BUT ONLY AS A
26 LAST-RESORT APPROACH TO ADDRESS THE CHILD'S TRUANCY AND ONLY IF
27 A CHILD CONTINUES TO BE HABITUALLY TRUANT AFTER SCHOOL OR

1 SCHOOL DISTRICT PERSONNEL, IN COORDINATION WITH THE LOCAL
2 COMMUNITY SERVICES GROUP, AS DEFINED IN SECTION 22-33-107 (3) (a)
3 (I), HAVE CREATED AND IMPLEMENTED A MULTIDISCIPLINARY PLAN
4 PURSUANT TO SECTION 22-33-107 (3) TO IMPROVE THE CHILD'S SCHOOL
5 ATTENDANCE.

6 (c) BEFORE INITIATING COURT PROCEEDINGS TO COMPEL
7 COMPLIANCE WITH THE ATTENDANCE REQUIREMENTS SPECIFIED IN THIS
8 ARTICLE, THE SCHOOL DISTRICT SHALL GIVE THE CHILD AND THE CHILD'S
9 PARENT WRITTEN NOTICE THAT THE SCHOOL DISTRICT WILL INITIATE
10 PROCEEDINGS IF THE CHILD DOES NOT COMPLY WITH THE ATTENDANCE
11 REQUIREMENTS OF THIS ARTICLE. The school district may combine the
12 notice and summons. If combined, the petition ~~shall~~ MUST state the date
13 on which THE SCHOOL DISTRICT WILL INITIATE proceedings, ~~will be~~
14 ~~initiated~~, which date ~~shall~~ MUST not be less than five days ~~from~~ AFTER the
15 date of the notice and summons. The notice ~~shall~~ MUST state the
16 provisions of this article with which compliance is required and ~~shall~~
17 MUST state that the SCHOOL DISTRICT WILL NOT INITIATE proceedings ~~will~~
18 ~~not be brought~~ if the child complies with ~~that provision~~ THE IDENTIFIED
19 PROVISIONS before the ~~filing of the proceeding~~ PROCEEDINGS ARE FILED.

20 (d) IF A SCHOOL DISTRICT INITIATES COURT PROCEEDINGS
21 PURSUANT TO THIS SUBSECTION (5), THE SCHOOL DISTRICT, AT A MINIMUM,
22 MUST SUBMIT TO THE COURT EVIDENCE OF:

23 (I) THE CHILD'S ATTENDANCE RECORD PRIOR TO AND AFTER THE
24 POINT AT WHICH THE CHILD WAS IDENTIFIED AS HABITUALLY TRUANT;

25 (II) THE INTERVENTIONS AND STRATEGIES USED TO IMPROVE THE
26 CHILD'S ATTENDANCE BEFORE SCHOOL OR SCHOOL DISTRICT PERSONNEL,
27 IN COLLABORATION WITH THE LOCAL COMMUNITY SERVICES GROUP,

1 CREATED THE CHILD'S MULTIDISCIPLINARY PLAN DESCRIBED IN SECTION
2 22-33-107 (3);

3 (III) SCHOOL OR SCHOOL DISTRICT PERSONNEL'S EFFORTS TO
4 CONVENE A MULTIDISCIPLINARY TEAM IN COORDINATION WITH THE LOCAL
5 COMMUNITY SERVICES GROUP TO CREATE THE CHILD'S MULTIDISCIPLINARY
6 PLAN; AND

7 (IV) THE CHILD'S MULTIDISCIPLINARY PLAN AND THE EFFORTS OF
8 THE CHILD, THE CHILD'S PARENT, AND SCHOOL OR SCHOOL DISTRICT
9 PERSONNEL AND PERSONNEL FROM OTHER PUBLIC AGENCIES, IF
10 APPLICABLE, TO IMPLEMENT THE MULTIDISCIPLINARY PLAN.

11 (6) ~~In the discretion of~~ The court before which a proceeding to
12 compel attendance is brought MAY ISSUE, IN ITS DISCRETION, an order ~~may~~
13 ~~be issued~~ against the child or the child's parent or both compelling the
14 child to attend school as provided by this article or compelling the parent
15 to take reasonable steps to assure the child's attendance. The order ~~may~~
16 MUST require the child ~~or~~ AND parent ~~or both to follow an appropriate~~
17 ~~treatment plan that addresses problems affecting the child's school~~
18 ~~attendance and that ensures the child has an opportunity to obtain a~~
19 ~~quality education~~ TO COOPERATE WITH THE SCHOOL DISTRICT IN
20 COMPLYING WITH THE MULTIDISCIPLINARY PLAN CREATED FOR THE CHILD
21 PURSUANT TO SECTION 22-33-107 (3).

22 (7) (a) If the child does not comply with the valid court order
23 issued against the child or against both the parent and the child, the court
24 may order that an ~~investigation~~ ASSESSMENT FOR EDUCATIONAL NEGLECT
25 AS DESCRIBED IN SECTION 19-3-102 (1) (d), C.R.S., be conducted as
26 provided in section ~~19-2-510 (2)~~ 19-3-501, C.R.S., ~~and~~ UNLESS THE
27 APPROPRIATE COUNTY DEPARTMENT OF SOCIAL SERVICES PARTICIPATED

1 IN CREATING THE CHILD'S MULTIDISCIPLINARY PLAN PURSUANT TO
2 SECTION 22-33-107 (3). IN ADDITION, the court may order the child to
3 show cause why he or she should not be held in contempt of court.

4 (b) The court may ~~include as a sanction~~ IMPOSE SANCTIONS after
5 a finding of contempt ~~an appropriate treatment plan~~ that may include, but
6 need not be limited to, community service to be performed by the child,
7 supervised activities, participation in services for at-risk students, as
8 described by section 22-33-204, and other activities having goals that
9 shall ensure that the child has an opportunity to obtain a quality
10 education.

11 ~~(b)~~ (c) IF THE COURT FINDS THAT THE CHILD HAS REFUSED TO
12 COMPLY WITH THE MULTIDISCIPLINARY PLAN CREATED FOR THE CHILD
13 PURSUANT TO SECTION 22-33-107 (3), the court may impose on the child
14 as a sanction for contempt of court a sentence ~~to incarceration to any~~ OF
15 DETENTION FOR NO MORE THAN FIVE DAYS IN A juvenile detention facility
16 operated by or under contract with the department of human services
17 pursuant to section 19-2-402, C.R.S., and any rules promulgated by the
18 Colorado supreme court.

19 **SECTION 4.** In Colorado Revised Statutes, **amend** 22-33-104.7
20 as follows:

21 **22-33-104.7. Eligibility for the general educational**
22 **development tests.** (1) ~~Any child~~ A STUDENT WHO IS sixteen years of age
23 AND who submits written evidence of a need to take the GED to be
24 eligible for an educational or vocational program ~~shall be~~ IS eligible to sit
25 for the GED after complying with all statutory and regulatory
26 requirements in regard to GED testing.

27 (2) (a) A STUDENT WHO IS SIXTEEN YEARS OF AGE AND WHO IS

1 SUBJECT TO THE JURISDICTION OF THE JUVENILE COURT IS ELIGIBLE TO SIT
2 FOR THE GED IF THE JUDICIAL OFFICER OR ADMINISTRATIVE HEARING
3 OFFICER WHO HAS RESPONSIBILITY FOR THE STUDENT'S CASE FINDS THAT
4 SITTING FOR THE GED IS IN THE STUDENT'S BEST INTERESTS BASED ON:

5 (I) THE NUMBER OF CREDITS THAT THE STUDENT HAS EARNED
6 TOWARD HIGH SCHOOL GRADUATION AND THE NUMBER NEEDED TO
7 GRADUATE;

8 (II) THE OUTCOME OF PREVIOUS CREDIT RECOVERY AND SCHOOL
9 REENGAGEMENT PLANS, IF ANY, CREATED FOR THE STUDENT BY THE
10 SCHOOL IN WHICH THE STUDENT WAS MOST RECENTLY ENROLLED; AND

11 (III) THE DESIRES OF THE STUDENT AND THE STUDENT'S PARENT
12 CONCERNING RETURNING TO SCHOOL OR SITTING FOR THE GED.

13 (b) PRIOR TO SITTING FOR THE GED, A STUDENT WHO IS ELIGIBLE
14 PURSUANT TO PARAGRAPH (a) OF THIS SUBSECTION (2) SHALL COMPLY
15 WITH ALL STATUTORY AND REGULATORY REQUIREMENTS IN REGARD TO
16 GED TESTING.

17 **SECTION 5.** In Colorado Revised Statutes, 19-2-402, **amend** (3)
18 (a) as follows:

19 **19-2-402. Juvenile detention services and facilities to be**
20 **provided by department of human services - education.**

21 (3) (a) (I) JUVENILES IN A JUVENILE DETENTION FACILITY ARE EXEMPT
22 FROM COMPULSORY SCHOOL ATTENDANCE REQUIREMENTS PURSUANT TO
23 SECTION 22-33-104 (2) (f), C.R.S. HOWEVER, IT IS THE INTENT OF THE
24 GENERAL ASSEMBLY THAT, WHILE IN DETENTION, JUVENILES COMPLY WITH
25 THE HOURLY REQUIREMENTS FOR ATTENDANCE SPECIFIED IN SECTION
26 22-33-104 (1), C.R.S., AND RECEIVE A LEVEL OF EDUCATIONAL SERVICES
27 THAT IS COMPARABLE TO WHAT THEY WOULD RECEIVE IF ATTENDING A

1 PUBLIC SCHOOL.

2 (II) The school boards of the school districts that a juvenile
3 detention facility serves or in which the juvenile detention facility is
4 located ~~when requested by the judge of the juvenile court,~~ shall furnish
5 teachers and any books or equipment needed for the proper education of
6 ~~such juveniles as may be present~~ THE JUVENILES WHO ARE in the juvenile
7 detention facility. THE SCHOOL DISTRICTS SHALL ENSURE THAT
8 EDUCATION SERVICES ARE AVAILABLE FOR A SUFFICIENT NUMBER OF
9 HOURS PER DAY TO ENABLE A JUVENILE TO COMPLY WITH THE SCHOOL
10 ATTENDANCE REQUIREMENTS SPECIFIED IN SECTION 22-33-104 (1) (a),
11 C.R.S., AND THAT THE EDUCATIONAL CONTENT PROVIDED ALIGNS WITH,
12 AND IS DESIGNED TO ASSIST A JUVENILE IN ACHIEVING, THE STATEWIDE
13 MODEL CONTENT STANDARDS ADOPTED PURSUANT TO SECTION 22-7-1005,
14 C.R.S.

15 **SECTION 6. Act subject to petition - effective date.** This act
16 takes effect at 12:01 a.m. on the day following the expiration of the
17 ninety-day period after final adjournment of the general assembly (August
18 7, 2013, if adjournment sine die is on May 8, 2013); except that, if a
19 referendum petition is filed pursuant to section 1 (3) of article V of the
20 state constitution against this act or an item, section, or part of this act
21 within such period, then the act, item, section, or part will not take effect
22 unless approved by the people at the general election to be held in
23 November 2014 and, in such case, will take effect on the date of the
24 official declaration of the vote thereon by the governor.