

C.R.S.A. § 22-1-102.5

§ 22-1-102.5. Definition of homeless child

- (1) The general assembly hereby finds and declares that, because of the growing number of children and families who are homeless in Colorado, there is a need to ensure that all homeless children receive a proper education. It is the intent of the general assembly that no child shall be denied the benefits of a free education in the public schools because the child is homeless.
- (2) (a) As used in this article, unless the context otherwise requires, “homeless child” means:
 - (I) A school-aged child who lacks a fixed, regular, and adequate nighttime residence, including but not limited to:
 1. A child who is living in a motel, hotel, or camping ground due to lack of alternative adequate accommodations;
 2. A child who is living in an emergency or transitional shelter;
 3. A child who is abandoned in a hospital; and
 4. A child awaiting foster care placement; or
 - (II) A school-aged child who has a primary nighttime residence that is:
 1. A supervised, publicly or privately operated shelter designed to provide temporary living accommodations, including welfare hotels, congregate shelters, and transitional housing for persons with mental illness;
 2. An institution that provides a temporary residence for individuals intended to be institutionalized; or
 3. A public or private place not designed for, nor ordinarily used as, a regular sleeping accommodation for human beings, including but not limited to an automobile, a park, an abandoned building, a bus or train station, or a similar setting.
- (b) “Homeless child” shall not include any individual imprisoned or otherwise detained pursuant to an act of congress or state law.
- (c) “Homeless child” shall include a migrant school-aged child who meets the requirements of this subsection (2).
- (d) “Homeless child” shall include a school-aged child who meets the requirements of this subsection (2) who is not in the physical custody of a parent or legal guardian.