Educational Orphans

December Count

Who is an Educational Orphan

An Educational Orphan for the purposes of Special Education December Count reporting in the IEP Interchange Participation File is a special education student who is publicly placed in a residential facility school located within the Administrative Unit and meets one of the circumstances below. ECEA Rules 2.03(1)(b)

- Parental rights are terminated by a court or relinquished by the parent(s)
- Student is legally emancipated
- Parents have moved out-of-state since the child was placed and a Colorado county department of social services maintains custody
- Parents are incarcerated
- Parents cannot be located
- Parents are deceased

This student is considered a resident of the Administrative Unit where the student lives and sleeps at night, where the facility school is located for residential placements.

The list of Approved Facility Schools is located on the [Frequently Requested Codes](#) page of the Data Pipeline. Only certain Facility Schools may house Educational Orphans, and they are noted in the list.

Students who are living with relatives or in foster care are not considered to be an educational orphan for December Count reporting. These students have an adult who can act on their behalf in the role of a parent.

Educational Surrogate Parent (ESP)

The ESSU provides technical assistance related to the required assignment of an Educational Surrogate Parent for a student in need. [In accordance with the mandate of the IDEA,](#) the CDE maintains a registry of each [assignment by an Administrative Unit as reported](#) on the [ESP Assignment Form](#). While Administrative Units must notify the CDE when an ESP is assigned to a student, there is no such requirement when an ESP assignment terminates. Please note that the requirements for assigning an ESP differ from the requirements for reporting an educational orphan, therefore, a student who has been assigned an ESP is not necessarily an educational orphan.

Educational Orphan Funding

The Exceptional Children's Educational Act (ECEA) allocates $500,000 for Educational Orphans. (Section 22-20-114 (1)(a)(I)(B))

The $500,000 is allocated among the Administrative Units who have reported educational orphans on the previous December Count. Please note that monies can only be allocated up to the actual expense of the tuition or educational services expenses incurred for each student. This funding is in addition to the December Count ECEA funding. You can learn more about educational orphan funding in the SEFAC Legislative Reports posted online.

Educational Orphan Data Field in the Participation File

For all students in the Participation File, please indicate whether the student is an educational orphan (living in an approved residential facility within the boundaries of the reporting administrative unit). Use 00 – Not Applicable if the student is not an educational orphan or the appropriate code to represent the reason the student is considered an educational orphan. Refer to the Data Pipeline Frequently Requested Codes for the Approved Facility Schools list that includes where educational orphans may reside.

> 00 – Not Applicable
> 01 – Parental rights have been relinquished by the parent
> 02 – Parental rights have been terminated by a court
> 03 – Parents are incarcerated
> 04 – Parents cannot be located
> 05 – Parents reside out of the state and placement was made by the Department of Human Services with the Administrative Unit
> 06 – Student is legally emancipated

How do I know if a student is an Educational Orphan?

Please start by checking with whoever handles the data for out of district placements in your Administrative Unit or District. Next verify if any of the CDE approved facility schools that can house educational orphans is located within the boundaries of your Administrative Unit. If there is a facility or facilities within your AU that can house educational orphans and if you do have special education students placed there, these students might be an educational orphan. These are the students you will want to research further to see if they meet the criteria for being an educational orphan as defined in the "Who is an Educational Orphan?" section.

To help Administrative Units identify students who may be an educational orphan, we can cross reference the student SASIDs in the ESP database with the student SASIDS being reported in the Participation files during the month of December looking for any student matches at the Facility Schools that can house educational orphans. Administrative Unit data respondents will be notified of any possible educational orphans. As you know paperwork does not always move as quickly as students do, so it is possible you will have an educational orphan that we would not be able to identify at CDE. This is why it is so important to keep updated records on these students at the local level.

Where can I find the resources mentioned?

Special Education December Count Snapshot webpage
Data Pipeline Frequently Requested Codes
Office of Facility Schools
Special Education Guidance and Technical Assistance See the section for Educational Surrogate Parents (ESP)