

**STATE and LOCAL  
FISCAL IMPACT**

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<b>Drafting Number:</b> LLS 10-0010	<b>Date:</b> January 25, 2010
<b>Prime Sponsor(s):</b> Sen. Schultheis Rep. Sonnenberg	<b>Bill Status:</b> Senate Judiciary <b>Fiscal Analyst:</b> Josh Abram (303-866-3561)

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**TITLE:** CONCERNING THE CREATION OF RELIGIOUS BILLS OF RIGHTS FOR INDIVIDUALS CONNECTED TO PUBLIC SCHOOLS.

<b>Fiscal Impact Summary</b>	<b>FY 2010-2011</b>	<b>FY 2011-2012</b>
<b>State Revenue</b>		
<b>State Expenditures</b> General Fund	\$3,769	\$0
<b>FTE Position Change</b>		
<b>Effective Date:</b> August 11, 2010, assuming the General Assembly adjourns May 12, 2010, as scheduled and no referendum petition is filed.		
<b>Appropriation Summary for FY 2010-2011:</b> See State Appropriations section.		
<b>School District Impact:</b> See School District Impact section.		

**Summary of Legislation**

The bill creates the "Religious Bill of Rights for Individuals Connected to Public Schools Act." No later than January 30, 2011, the State Board of Education must establish two religious bills of rights: one for public school students and their parents or guardians and one for public school teachers and employees. Each bill of rights must outline the inalienable religious rights of people connected with public schools.

No later than January 1, 2011, the state board must adopt rules and prepare guidelines for local school boards concerning the goal and use of the religious bill of rights. The state board must update the guidelines annually, thereafter. No later than January 30, 2011, the board must create a standard form to report grievances that may occur as a result of the act. No later than August 11, 2011, the board must post both religious bills of rights on its website.

No later than August 1, 2011, each local school board must adopt written policies and procedures that:

- provide written notification of the religious bill of rights to all parents, students, and employees;
- maintain a record that each high school student, and the parent or guardian of all students, have received the religious bill of rights;

- provide a written copy of the religious bill of rights to each new employee during orientation, and annually thereafter;
- provide annually updated guidelines to each school employee and confirms, in writing, the employee's receipt of the updated guidelines; and
- provide written materials and other professional development for teachers.

Each local school board must allow a high school student to opt-out of any class or refrain from the use of specific materials that are inconsistent with the student's religious beliefs. A parent or guardian of any student may excuse his or her child from a class or from using specific materials for religious reasons.

No later than December 30, 2011, and each year thereafter, each local school board must certify to the Attorney General that it is in full compliance with the act. A local school board member can be held personally liable for attorney fees in actions related to the act.

### **State Expenditures**

*The bill will increase state expenditures by \$3,769 in FY 2010-11.* The State Board of Education will incur costs associated with drafting the religious bills of rights and adopting guidelines for local boards in implementing the act. Although state board members serve voluntarily and without compensation, department staff time will be required to research and draft the religious bills of rights. These administrative costs are expected to be minimal and can be absorbed within existing appropriations.

The Department of Education will require legal services provided by the Department of Law to promulgate rules associated with implementing the act. This fiscal note anticipates 50 hours of legal services in FY 2010-11, at a blended rate of \$75.38 (50 hours \* \$75.38 = \$3,769).

### **School District Impact**

Local school boards will be required to adopt procedures, develop rules and provide employee training to implement the act. Each district will have costs to provide written notice of the religious rights to every parent, student, and school employee, and to maintain annual records of that receipt. Local expenses will be paid from existing school and district budgets.

### **State Appropriations**

In FY 2010-11, this bill requires a General Fund appropriation of \$3,769 to the Colorado Department of Education. This amount is reappropriated to the Department of Law for the provision of legal services.

### **Departments Contacted**

Education

Law

Judicial