


 Colorado *Legislative Council Staff*
STATE and LOCAL
FISCAL IMPACT

Drafting Number: LLS 06-0518
Prime Sponsor(s): Sen. Tapia

Date: February 8, 2006
Bill Status: Senate Education
Fiscal Analyst: David Porter (303 866-4375)

TITLE: CONCERNING THE AGE SPECIFICATIONS RELATING TO COMPULSORY SCHOOL ATTENDANCE.

Fiscal Impact Summary	FY 2006/07	FY 2007/08
State Revenues		
State Expenditures		
General Fund - Judicial	\$152,697	\$117,826
General Fund - Public School Finance*	Potential Increase	Potential Increase
FTE Position Change	2.0 FTE	2.0 FTE
Effective Date: Upon signature of the Governor.		
Appropriation Summary for FY 2006/07: Justice Department		\$152,697 General Fund
School District Impact: School districts would need to follow through on truancy filings on a greater number of children.		

**See the State Expenditures section for an explanation of this bill's school funding impact.*

Summary of Legislation

Current law requires children to attend school from ages 7 through 15. SB06-073 changes the ages of compulsory education to be between 6 and 16. The bill modifies several other related sections of the law to comply with the bill's age requirements. Additionally, the bill establishes the number of hours in a school year for kindergarten classes accordingly:

- 900 hours for a full-day kindergarten program; and
- 400 hours for a half-day kindergarten program.

State Expenditures

SB06-073 requires General Fund state expenditures of \$152,247 and 2.1 FTE in FY 2006-07, and \$117,826 and 2.1 FTE thereafter. These costs result from court monitoring of truancy cases as discussed below.

Department of Education. Current law states that every public school shall be open for the admission of all children between the ages of 6 and 21 years. Information on 6-year-old students

shows an enrollment of 53,229 in FY 2005-06. This level of enrollment is comparable to other age groups and indicates that the majority of 6-year-old children are currently enrolled in a kindergarten program. This fiscal note anticipates that new enrollment of 6-year-old children will be minimal and will not lead to an increase in state expenditures.

At the other end of the age spectrum, available data indicate a fairly low dropout rate for 16-year-old students. For example, FY 2003-04 dropout rates were as follows: 1,918 15-year-olds, 111 16-year-olds, and 3,558 17-year-olds. It is difficult to determine the number of students that will be compelled to stay in school as a result of this bill, however, the students that remain in school who would have dropped out will create additional state expenditures. On average, the amount spent per student is \$6,167 from General Fund public school finance monies (based on the statewide average per pupil revenue).

Judicial Branch. Making school attendance compulsory for 16-year-olds will impact the court system. The number of new truancy cases introduced to the court system is not expected to cause a significant impact. However, the change in the maximum age results in an increase in the length of time chronically truant cases will be under the jurisdiction of the court. Cases of this nature are typically considered closed once the student reaches the age of 16. With this bill, these cases will remain open for another year. It is estimated that 20 percent of truancy cases are of this nature. The following calculations determined the staff impact:

- 2,080 truant cases * 20% = 416 cases requiring review;
- 416 cases * 8 review hearings per case = 3,328 hearings;
- 3,328 hearings * 20 minutes per hearing = 66,560 minutes or 1,109 hours of magistrate work;
- 1,108 hours / 2,080 hours per FTE = 0.53 magistrate FTE; and
- 0.53 Division Clerk, 0.53 Assistance Division Clerk, and 0.53 Court Clerk II are required to support the work of the magistrate.

Finally, court-appointed counsel will need to be retained for the additional cases that remain in the court system. Costs that result from the appointed counsel are calculated as follows:

- 416 cases per year * 30% requiring counsel = 125 cases; and
- 125 cases * \$105 per case = \$13,125.

Table 1 - Total Costs Under SB06-073		
Cost Components	FY 2006-07	FY 2007-08
Personal Services	\$101,123	\$101,123
FTE	2.1	2.1
Operating Expenses/Capital Outlay	38,448	3,578
Court-Appointed Counsel	13,125	13,125
General Fund Total	\$152,696	\$117,826
FTE	2.1	2.1

School District Impact

The addition of 16-year-old students to the group of students required to stay in school may increase the amount of work required of school districts to follow through on truancy proceedings. As the total number of students against whom truancy proceedings would be brought is difficult to determine, costs to school districts are unknown. Finally, it should be noted that if more students decide to remain in school as a result of this bill, there will be additional costs related to their education.

State Appropriations

This fiscal note implies a \$152,697 General Fund appropriation and 2.1 FTE to the Judicial Department.

Departments Contacted

Education Judicial Higher Education