


Colorado Legislative Council Staff Fiscal Note
FINAL
FISCAL NOTE

Drafting Number: LLS 12-0200	Date: July 26, 2012
Prime Sponsor(s): Sen. Newell; Hudak Rep. Nikkel; Levy	Bill Status: Deemed Lost
	Fiscal Analyst: Jonathan Senft (303-866-3523)

TITLE: CONCERNING DISCIPLINARY MEASURES IN PUBLIC SCHOOLS, AND IN CONNECTION THEREWITH, REQUIRING A POST-ENACTMENT REVIEW OF THE IMPLEMENTATION OF THIS ACT.

Fiscal Impact Summary	FY 2012-2013	FY 2013-2014
State Revenue		
State Expenditures General Fund		\$4,000
FTE Position Change		0.1 FTE
Effective Date: The bill was deemed lost on May 9, 2012, when the General Assembly adjourned sine die without taking final action. It should be noted that the provisions of this bill were amended into HB12-1345, which was signed into law by the Governor and took effect May 19, 2012.		
Appropriation Summary for FY 2012-2013: See State Appropriations section.		
School District Impact: See School District Impact section.		

Summary of Legislation

This bill allows public school officials discretion in assigning suspensions and expulsions, where punishment is mandatory under current law.

It also establishes a mechanism for data provision from public schools, law enforcement and district attorneys to state agencies. The bill was recommended by the Task Force on School Discipline interim committee. Among many provisions, this bill:

- requires local law enforcement agencies to report data on student arrests and other disciplinary actions to the Division of Criminal Justice (DCJ) in the Department of Public Safety (DPS);
- requires the district attorney of each judicial district to annually report to the DCJ the number of offenses, and other information, on school grounds;
- requires the provision of a training curriculum for School Resource Officers (SRO);
- modifies the safe school reporting requirements; and
- requires a post-enactment review by legislative service agencies after two years, which considers the information provided to DCJ by law enforcement and district attorneys.

State Revenue

This bill requires the Peace Officers Standards and Training (P.O.S.T.) board, within the Department of Law, to identify and provide an SRO curriculum to train SROs. It assumed that the P.O.S.T. board will identify this curriculum from a national organization of SROs, and may incur minimal costs. The P.O.S.T. board may charge fees for the provision of this curriculum, but these fees cannot exceed the board's direct and indirect costs. Since any costs for the provision of this curriculum are expected to be minimal, any fee revenue to cover these costs will be equally minimal.

State Expenditures

In FY 2013-14 and beyond, this bill has costs of approximately \$4,000 and 0.1 FTE within the Department of Public Safety.

Department of Public Safety (DPS). No later than August 1, 2013, district attorneys and other law enforcement officers must report annual data about student behavior on school grounds to the DCJ. The reported information consists of law enforcement activity in schools, including offenses investigated. The DCJ will be responsible solely for receiving and storing this data. It must also provide this information to members of the public who request the data. The department is allowed to charge fees in connection with the provision of this data.

Department of Law. The department will identify and provide SRO training curriculum, which is assumed to be readily available from a national organization. Any expenditures for the provision of this information may be recouped from fees. These expenditures, if any, are expected to be minimal and absorbed with existing resources, or be recouped from nominal fees should the department opt to charge fees.

Legislative Services. Legislative service agencies of the General Assembly are required to conduct a post-enactment review of the bill. The duties associated with this review represent a minimal increase in workload, and no new appropriations are required.

Local Government Impact

This bill requires district attorneys to report to the DCJ information about offenses allegedly committed by a student on school grounds. This fiscal notes assumes that the bulk of this data is already being collected, although there may be associated costs at the local level in assembling and sending this data to the DCJ. These costs are indeterminate, but expected to be minimal.

School District Impact

This bill requires school districts to alter policies in a number of ways. It requires additional data collection as part of any school safety plan, and the use of new methods of discipline, including restorative justice. The bill further requires principals to notify parents when an SRO has notified him or her of a student's arrest or summons. New costs are contingent on the quality of data collections and communications currently occurring in school districts.

Pursuant to Section 22-32-143, C.R.S., as specified by House Bill 11-1277, school districts and Boards of Cooperative Educational Services (BOCES) may submit estimates of fiscal impacts within seven days of a bill's introduction. As of the date of this fiscal note, no summaries of fiscal impacts were submitted by districts or BOCES for this bill. If summaries of fiscal impacts are submitted by districts or BOCES in the future, they will be noted in subsequent revisions to the fiscal note and posted at this address: <http://www.colorado.gov/lcs>

State Appropriations

This bill does not require an appropriation for FY 2012-13.

In FY 2013-14 and beyond, this bill has costs of approximately \$4,000, General Fund, and 0.1 FTE to the Department of Public Safety. The General Assembly has determined, however, that this bill can be implemented within existing resources.

Departments Contacted

Education
Judicial
Local Affairs
Public Safety

Human Services
Law
Governor's Office of Information Technology