

**STATE and LOCAL  
FISCAL IMPACT**

**Note: This fiscal note is provided pursuant to Joint Rule 22(b)(2), and reflects strike-below Amendment L.002**

**Drafting Number:** LLS 13-0030  
**Prime Sponsor(s):** Rep. Fields  
 Sen. Hudak

**Date:** January 28, 2013  
**Bill Status:** House Education  
**Fiscal Analyst:** Josh Abram (303-866-3561)

**TITLE:** CONCERNING MEASURES TO ENSURE THAT STUDENTS COMPLY WITH COMPULSORY SCHOOL ATTENDANCE REQUIREMENTS, AND, IN CONNECTION THEREWITH, REQUIRING SCHOOLS TO ADDRESS HABITUAL TRUANCY THROUGH A MULTIDISCIPLINARY PLAN, LIMITING THE LENGTH OF DETENTION THAT A COURT MAY IMPOSE TO ENFORCE COMPULSORY SCHOOL ATTENDANCE, ALLOWING STUDENTS WHO ARE UNDER JUVENILE COURT JURISDICTION TO OBTAIN A GED, AND SPECIFYING MINIMUM REQUIREMENTS FOR EDUCATION SERVICES PROVIDED IN JUVENILE DETENTION FACILITIES.

<b>Fiscal Impact Summary</b>	<b>FY 2013-2014</b>	<b>FY 2014-2015</b>
<b>State Revenue</b>		
<b>State Expenditures</b>		
<b>FTE Position Change</b>		
<b>Effective Date:</b> August 7, 2013, if the General Assembly adjourns on May 8, 2013, as scheduled, and no referendum petition is filed.		
<b>Appropriation Summary for FY 2013-2014:</b> None required.		
<b>School District Impact:</b> See School District Impact section.		

**Summary of Legislation**

This bill modifies the compulsory school attendance laws. If a district initiates court proceedings against a student for habitual truancy, the bill requires that the district submit to the court:

- the student's attendance record prior to and following the student's identification as habitually truant;
- the interventions and strategies the district used to improve the student's attendance;
- a copy of the child's truancy plan; and
- efforts made by the child, parents, and district personnel to implement the plan.

If a case to compel attendance is brought by a district, the court may issue an order for the student to comply with the district's truancy plan. If the court sentences a student to detention for failing to comply with attendance laws, the term of detention is limited to five days.

The bill allows students in the juvenile court system to take the GED at age 16, providing the student's case officer believes it to be in the student's best interest. School districts serving students in juvenile detention must provide educational services for a sufficient number of hours per day to allow students to comply with state attendance requirements. Further, school districts must ensure that educational services provided to students in detention align with and enable students to meet state academic standards.

### **State Expenditures**

**Judicial Branch.** In FY 2011-12, there were 2,868 truancy cases filed in the state courts. It is unknown if truancy caseload will diminish as a result of this. However, every 100 truancy cases filed results in the need for a .05 FTE judicial officer and .21 FTE staff. Therefore, every reduction of 100 cases will result in a savings of that same amount. Also, for every reduction of 100 cases, there are approximately 30 fewer truancy counsel appointments, which cost the branch about \$300 per appointment.

### **School District Impact**

In limited cases, districts bringing court proceedings must prepare additional evidence for courts to consider when making a final ruling. The other provisions in the bill are clarifications of current law and are not anticipated to increase expenditures for school districts when enforcing compulsory school attendance laws.

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>

### **Departments Contacted**

Education

Judicial