



**Legislative
Council Staff**

Nonpartisan Services for Colorado's Legislature

FISCAL NOTE

Drafting Number:	LLS 19-0684	Date:	March 11, 2019
Prime Sponsors:	Rep. Lontine; Larson Sen. Priola; Fields	Bill Status:	House Education
		Fiscal Analyst:	Anna Gerstle 303-866-4375 Anna.Gerstle@state.co.us

Bill Topic: SCHOOL DISCIPLINE FOR PRESCHOOL THROUGH 2ND GRADE

Summary of Fiscal Impact:

<input type="checkbox"/> State Revenue	<input type="checkbox"/> TABOR Refund
<input checked="" type="checkbox"/> State Expenditure	<input checked="" type="checkbox"/> School District
<input type="checkbox"/> State Transfer	<input type="checkbox"/> Statutory Public Entity

The bill limits the circumstances in which a student in preschool through second grade can be suspended from school, and limits the length of any suspension. The bill increases state expenditures in FY 2020-21 only, and state and school district workload on an ongoing basis.

Appropriation Summary: No appropriation is required in FY 2019-20.

Fiscal Note Status: The fiscal note reflects the introduced bill.

**Table 1
State Fiscal Impacts Under HB 19-1194**

		FY 2019-20	FY 2020-21
Revenue		-	-
Expenditures	General Fund	-	\$59,500
Transfers		-	-
TABOR Refund		-	-

Summary of Legislation

Under the bill, a school district, charter school, or state funded preschool may only suspend or expel a student in preschool through second grade if the following conditions are met:

- the student engages in conduct that involves possession of a deadly weapon; the use, possession, or sale of a controlled substance; or endangers the health and safety of others;
- failure to remove the student would create a safety threat; and
- the school has utilized and documented appropriate alternative behavioral and disciplinary interventions.

If these conditions are met and a school imposes a suspension, the suspension may not exceed three school days and must be limited to the time required to resolve the safety threat. The bill specifies that a school requesting that a parent remove a child from the school for disciplinary reasons constitutes a suspension.

The bill requires the State Board of Education (SBE) to annually review data concerning the number of students who are suspended and the reasons for the suspension. The SBE may not waive the bill's requirements for school districts or charter schools, and the bill's provisions must be included in school district and charter school disciplinary codes and charter school applications. School districts must provide copies of the disciplinary code to preschool students; elementary students receive copies under current law.

State Expenditures

The bill increases state General Fund expenditures in the Colorado Department of Education by \$59,600 in FY 2020-21 only. The bill also increases the workload for the Department of Human Services.

Department of Education. CDE requires \$59,500 to modify the data reporting system and collection. CDE's current data system collects data on disciplinary actions in two files: one containing information by demographic category and by grade level, and one containing the reason for the disciplinary action. However, the reason that a student is suspended is not tracked by grade level; as a result, the system must be modified in order to identify why students in preschool through second grade students were suspended. It is estimated that the changes will require 595 hours at a contracted rate of \$100 per hour. The fiscal note assumes that the modifications will begin in July 1, 2020 and will not delay the implementation of the bill.

In addition, the bill increases the workload for the SBE to annually review data on suspensions and reasons for the suspensions, and for the Schools of Choice Unit to answer questions and provide support to school districts and charter schools. This increase is expected to be minimal.

Department of Human Services. The bill increase the workload for the Office of Early Childhood in the Department of Human Services, which licenses child care facilities. The office must update policies and materials to reflect the bill's changes. No change in appropriations is required.

School District Impact

Beginning in FY 2020-21, the bill increases workload for school districts to modify their disciplinary policies and comply with the bill's requirements. Copies of the school disciplinary codes must be provided to all students, including preschoolers. The workload will vary by school district and is expected to be minimal.

Effective Date

The bill takes effect July 1, 2020, if no referendum petition is filed.

State and Local Government Contacts

Education

Human Services

Information Technology

School Districts