



## Fiscal Note

### Legislative Council Staff

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## HB 25-1248: PROTECT STUDENTS FROM RESTRAINT AND SECLUSION

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**Prime Sponsors:**

Rep. Stewart K.

Sen. Kipp

**Fiscal Analyst:**

Josh Abram, 303-866-3561

josh.abram@coleg.gov

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**Fiscal note status:** The fiscal note reflects the introduced bill.

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### Summary Information

**Overview.** The bill creates the Protection of Students from Restraint and Seclusion Act, outlining the conditions and requirements specific to public schools and school districts in the use of seclusion and restraint.

**Types of impacts.** The bill is projected to affect the following areas on an ongoing basis:

- State Expenditures
- School Districts

**Appropriations.** For FY 2025-26, the bill requires an appropriation of \$88,200 to the Colorado Department of Education.

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**Table 1**  
**State Fiscal Impacts**

<b>Type of Impact</b>	<b>Budget Year FY 2025-26</b>	<b>Out Year FY 2026-27</b>
State Revenue	\$0	\$0
State Expenditures (General Fund)	\$88,200	\$0
Transferred Funds	\$0	\$0
Change in TABOR Refunds	\$0	\$0
Change in State FTE	0.0 FTE	0.0 FTE

## Summary of Legislation

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Current law describing the acceptable conditions for the use of restraint or seclusion by a state or local government or agency are found in the Protection of Individuals from Restraint and Seclusion Act.<sup>1</sup> The bill removes schools and districts from the requirements of this act, and instead creates a separate article unique to public schools and school districts. Specifically, the bill:

- prohibits the use of restraint on a public school student either at the school or at a school sponsored off-campus activity;
- identifies exceptions to this prohibition, and conditions a local education provider must follow if using seclusion or restraints; and
- requires local education providers that use restraint to ensure proper training, and that all instances are documented in a written report.

No later than July 1, 2025, each school district and the Charter School Institute must establish an annual review process to ensure that the use of restraint is being administered properly and is being minimized and prevented by increasing the use of positive interventions.

By January 2026, the State Board of Education (SBE) must adopt, amend, or repeal rules as necessary to reflect the bill's requirements, including a process for filing complaints. The Colorado Department of Education (CDE) must make training available to local education providers on relevant state laws, and the rules adopted by the SBE. The CDE also has enforcement authority over any restraint investigation decisions, following the same procedures used for investigations under the federal Individuals with Disabilities Education Act (IDEA).

## Background

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Under current law, the CDE must establish training standards for school staff and administrators on the Protection of Individuals from Restraint and Seclusion Act, and make this training available to school personnel that are certified in the use of restraint. This includes training on the act itself and the department's corresponding administrative rules. Staff involved in these practices must be trained in prevention techniques, de-escalation, and the proper use of restraints and seclusion, with training refreshed at least every two years. Current SBE rules are designed to outline procedures for the use of restraint and seclusion in educational settings.

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<sup>1</sup> Section 26-20-101, et. seq. C.R.S

## State Expenditures

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The bill increases costs in the CDE by \$88,200 in FY 2025-26 only, paid from the General Fund.

The information management systems at CDE will need to be modified to include the new requirements for district profile reports and allow for the discipline data collection to include both on- and off-campus violations for safe school requirements. The technology costs are estimated at \$48,200.

The bill also requires amending current SBE rules and modifying the school personnel training program currently available at the CDE. Based on the time and cost necessary to create the existing training, the department will have costs of \$40,000 in FY 2025-26 to recreate training, including all videos and animation content. The work requires 260 hours, at a rate of \$150 per hour. The course creation and revised rules are estimated to require up to 18 months to complete; thus, a portion of these expenses may be spent in FY 2026-27.

## School District

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Public schools and districts will have increased workload to adjust internal policies and rules related to student discipline.

## Effective Date

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The bill takes effect upon signature of the Governor, or upon becoming law without his signature.

## State Appropriations

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For FY 2025-26, the bill requires a General Fund appropriation of \$88,200 to the Colorado Department of Education. Because training-related expenditures may be incurred over 18 months, the department requires roll-forward spending authority of this appropriation through FY 2026-27.

## State and Local Government Contacts

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Education

Law

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The revenue and expenditure impacts in this fiscal note represent changes from current law under the bill for each fiscal year. For additional information about fiscal notes, please visit the [General Assembly website](#).