



Legislative Council Staff
Nonpartisan Services for Colorado's Legislature

Final Fiscal Note

Drafting Number: LLS 23-0170
Prime Sponsors: Sen. Moreno
Rep. Lindsay

Date: July 19, 2023
Bill Status: Signed into Law
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Bill Topic: **DISPROPORTIONATE DISCIPLINE IN PUBLIC SCHOOLS**

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 creates the School Discipline Task Force to study and make recommendations regarding state and local school discipline policies. The bill increases state expenditures in FY 2023-24 only, and school district workload on an ongoing basis.

Appropriation Summary:

For FY 2023-24, the bill requires and includes an appropriation of \$165,813 to multiple state agencies.

Fiscal Note Status:

This fiscal note reflects the enacted bill. The bill was recommended by the Colorado Youth Advisory Council Committee.

Table 1
State Fiscal Impacts Under SB23-029

		Budget Year FY 2023-24	Out Year FY 2024-25
Revenue		-	-
Expenditures	General Fund	\$165,813	-
	Centrally Appropriated	\$8,990	-
	Total Expenditures	\$174,803	-
	Total FTE	0.5 FTE	-
Transfers		-	-
Other Budget Impacts	General Fund Reserve	\$24,872	-

Summary of Legislation

The bill creates the School Discipline Task Force in the Colorado Department of Education (CDE) to study and make recommendations regarding school discipline policies, state and local discipline reporting requirements, and local engagement. The bill specifies the composition of the task force and that members serve without compensation, but may receive reimbursement for expenses.

The task force must meet by October 15, 2023, and meet at least six times between that date and the first Colorado Youth Advisory Review Commission meeting in 2024. CDE must provide staff assistance to the task force, which must also consult with stakeholders and experts. The task force must report on its findings and recommendations to the legislature, State Board of Education, and CDE, and must present at the first COYAC meeting in 2024.

Student suspension or expulsion. Under current law, school districts are encouraged to consider certain factors before suspending or expelling a student. The bill requires these factors to be considered, and further requires that a school district document alternative disciplinary measures used prior to suspension or expulsion in both the student’s record and in the data reported to CDE.

State Expenditures

The bill increases state expenditures in CDE and the Legislative Department by \$174,803 in FY 2023-24 only, paid from the General Fund. Expenditures are shown in Table 2 and discussed below.

Table 2
Expenditures Under SB 23-029

	FY 2023-24	FY 2024-25
Colorado Department of Education		
Personal Services	\$37,147	-
Operating Expenses	\$675	-
Capital Outlay Costs	\$6,670	-
Request for Proposals	\$17,850	-
Facilitator Costs	\$77,400	-
Meeting Costs	\$24,656	-
Centrally Appropriated Costs ¹	\$8,990	-
FTE – Personal Services	0.5 FTE	-
CDE Subtotal	\$173,388	-
Legislative Department		
Per Diem and Expenses	\$1,415	-
Legislative Subtotal	\$1,415	-
Total	\$174,803	-
Total FTE	0.5 FTE	-

¹ Centrally appropriated costs are not included in the bill’s appropriation.

Colorado Department of Education

CDE will incur costs to support the task force, including staffing, contract, and meeting costs.

Assumptions. The fiscal note assumes that 13 meetings will be required to fulfill the committee's charge. It is assumed 10 meetings will be in-person and 3 will be remote.

Personal services. CDE will require 0.5 FTE in FY 2023-24 only to provide staff support to the task force, including managing the vendor contract, supporting task force meetings, and managing the resource bank. Staffing costs are prorated for the General Fund paydate shift, and a September 1 start date. The fiscal note assumes that any work that continues into FY 2024-25 can be accomplished within current appropriations.

Facilitator costs and request for proposals. CDE requires \$77,400 in FY 2023-24 for contract costs for a facilitator and expert to support the committee, in addition to standard costs for a request for proposal process. The estimate assumes 24 hours per meeting at a rate of \$200 per hour.

Meeting costs. The task force will require approximately \$25,000 for meeting costs for ten in-person meetings, which include food, room, and travel costs in FY 2023-24 only. Costs to stream the meetings will be incurred for all 13 meetings.

Legislative Department

The legislative member on the task force will be paid per diem and travel reimbursement, estimated at \$1,415. This is based on standard legislative reimbursement rates and assumes six meetings that will occur outside the legislative session.

Centrally appropriated costs. Pursuant to a Joint Budget Committee policy, certain costs associated with this bill are addressed through the annual budget process and centrally appropriated in the Long Bill or supplemental appropriations bills, rather than in this bill. These costs, which include employee insurance and supplemental employee retirement payments, are shown in Table 2.

Other Budget Impacts

General Fund reserve. Under current law, an amount equal to 15 percent of General Fund appropriations must be set aside in the General Fund statutory reserve. Based on this fiscal note, the bill is expected to increase the amount of General Fund held in reserve by the amounts shown in Table 1, decreasing the amount of General Fund available for other purposes.

School District

The bill increases workload and costs for school districts to participate in the task force, and to consider certain factors in school discipline that are currently only encouraged. The impact will vary by district.

Effective Date

The bill was signed by the Governor on June 2, 2023 and takes effect on August 7, 2023, assuming no referendum petition is filed.

State Appropriations

In FY 2023-24, the bill requires and includes the following General Fund appropriations:

- \$164,398 to the Colorado Department of Education, and 0.5 FTE; and
- \$1,415 to the Legislative Department.

State and Local Government Contacts

Education

Information Technology

Legislative Council Staff