

**NORTH CAROLINA GENERAL ASSEMBLY**

**LEGISLATIVE FISCAL NOTE**

**BILL NUMBER:** House Bill 1457 (First Edition)

**SHORT TITLE:** Community Solutions for Suspended Students.

**SPONSOR(S):** Representatives Preston and Warner

<b>FISCAL IMPACT</b>					
	<b>Yes ( )</b>	<b>No (X)</b>	<b>No Estimate Available ( )</b>		
	<b><u>FY 2004-05</u></b>	<b><u>FY 2005-06</u></b>	<b><u>FY 2006-07</u></b>	<b><u>FY 2007-08</u></b>	<b><u>FY 2008-09</u></b>
<b>REVENUES:</b>					
<b>EXPENDITURES:</b>					
<b>POSITIONS:</b>					
<b>PRINCIPAL DEPARTMENT(S) &amp; PROGRAM(S) AFFECTED:</b>	Local Boards of Education, Juvenile Crime Prevention Councils (County Councils), Local School Administrative Units (LEAs)				
<b>EFFECTIVE DATE:</b>	Section 3 of the bill becomes effective July 1, 2005 and applies to schools beginning with the 2005-06 school year. The remainder of the act becomes effective when it becomes law.				

**BILL SUMMARY:**

The bill enacts new statute [GS 143B-549.1 and 115C-47(44)], requiring that Juvenile Crime Prevention Councils (County Councils) and local boards of education develop continuum of community solutions to meet the educational needs of students who have been suspended for more than ten school days (long-term suspended; LTS). The bill also directs every local school administrative unit (LEA) to offer an alternative setting to LTS students.. The LEAs need not operate all of the alternative settings offered.

*Source: Bill Digest H.B. 1457 (05/17/2004)*

**ASSUMPTIONS AND METHODOLOGY:**

***Section 1***

This section of the bill directs greater partnership and coordination between the County Councils and LEAs in developing and administering a continuum of services available to serve LTS

students. Both entities are already engaged at least to some degree in this activity. While the bill is more directive than current statute regarding the active participation of each entity in the joint development process, it does not require any substantially new or additional activities of either entity. The bill, therefore, creates no new or additional costs for either entity.

**Section 2**

This section of the bill directs that local boards of education “encourage” various stakeholders, including schools personnel, to engage in the process of developing community solutions for LTS students. As this language does not require any particular action of the stakeholders, it does not create any fiscal impact. Section two also contains a requirement that each local board of education “adopt a policy that establishes a continuum of available and appropriate settings that can be offered” to a LTS student. This required activity should fall within the realm of standard business for a local board of education and not create any additional fiscal burden.

**Section 3**

This section of the bill requires that all LTS students be offered, at the time of their suspension, “the opportunity to spend the days in an appropriate setting,” with “appropriate setting” having been defined in section two of the bill as being in public school, other agency, or private settings as identified through the collaborative work of the County Councils and LEAs. While it is certainly possible that the process of developing a continuum of community options will lead to creation of new or joint entities that would benefit from or even require additional funding for effective operation, it is not necessarily so that that would be the case. A variety, if not a well-organized continuum, of services for students at-risk for school failure, delinquency, and/or juvenile crime already exist in each community. Better organization of these options into coherent community-wide systems should not add cost to the systems. Furthermore, while it is possible that joint funding or contract arrangements will be negotiated between LEAs and other service providers, it may be the case that no such arrangements will be necessary, or that such arrangements could be made within existing funds allocated to the schools and other agencies for serving at-risk populations.

**SOURCES OF DATA:** Department of Public Instruction, Fiscal Research Division Analyst for Department of Juvenile Justice and Delinquency Prevention.

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**DATE:** June 8, 2004



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