

JOINT BUDGET COMMITTEE



INTERIM SUPPLEMENTAL BUDGET REQUESTS FY 2019-20

DEPARTMENT OF PUBLIC SAFETY

JBC WORKING DOCUMENT - SUBJECT TO CHANGE
STAFF RECOMMENDATION DOES NOT REPRESENT COMMITTEE DECISION

PREPARED BY:
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INTERIM SUPPLEMENTAL REQUESTS

ADDITIONAL RESOURCES FOR THE SCHOOL SAFETY RESOURCE CENTER

	REQUEST	RECOMMENDATION
TOTAL	\$327,549	\$0
FTE	4.0	0
General Fund	0	0
Cash Funds	327,549	0
Federal Funds	0	0

Does JBC staff believe the request satisfies the interim supplemental criteria of Section 24-75-111, C.R.S.? [The Controller may authorize an overexpenditure of the existing appropriation if it: (1) Is approved in whole or in part by the JBC; (2) Is necessary due to unforeseen circumstances arising while the General Assembly is not in session; (3) Is approved by the Office of State Planning and Budgeting (except for State, Law, Treasury, Judicial, and Legislative Departments); (4) Is approved by the Capital Development Committee, if a capital request; (5) Is consistent with all statutory provisions applicable to the program, function or purpose for which the overexpenditure is made; and (6) Does not exceed the unencumbered balance of the fund from which the overexpenditure is to be made.] **NO**

Does JBC staff believe the request meets the Joint Budget Committee's supplemental criteria? [An emergency or act of God; a technical error in calculating the original appropriation; data that was not available when the original appropriation was made; or an unforeseen contingency.] **NO**

Explanation: JBC staff does not believe the request meets interim supplemental criteria. The request has been submitted in response to the STEM School Highlands Ranch shooting on May 7, 2019. While the STEM shooting took place on May 7, after the session ended on May 3, the request does not respond to a specific need or new piece of information that came to light after the General Assembly adjourned.

DEPARTMENT REQUEST: The Department requests \$327,549 cash funds and 4.0 FTE for FY 2019-20 to fund field staff for the Colorado School Safety Resource Center (CSSRC). This request is for FY 2019-20 only; the Department intends to submit a request for future years through the annual budget process.

STAFF RECOMMENDATION: Staff recommends that the Committee deny the request. As discussed above, staff does not believe that the request meets interim supplemental criteria.

STAFF ANALYSIS:

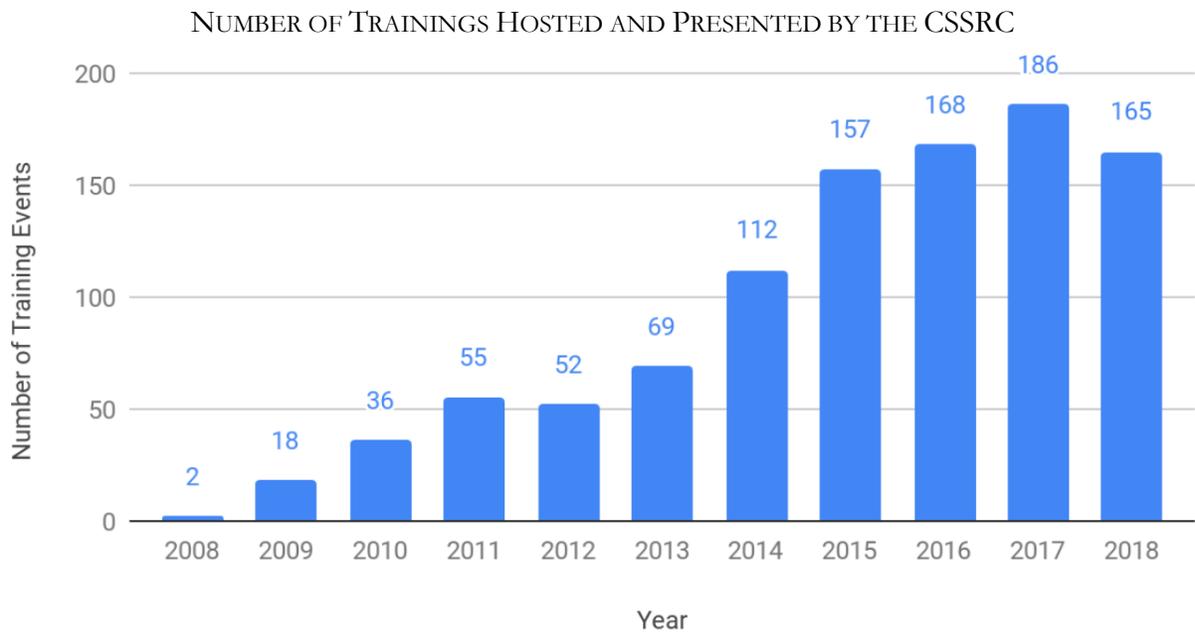
BACKGROUND

School Safety Resource Center

The Colorado School Safety Resource Center (CSSRC) was created by S.B. 08-001 to assist local schools and communities in creating safe and positive school environments. The CSSRC has six staff who provide consultation, resources, training, and technical assistance to schools with a goal of fostering positive school climates and early interventions to prevent crises. Among other duties, the CSSRC assists school districts in developing school safety plans, conducting threat assessments, performing physical assessments of buildings, and assisting schools in selecting evidenced-based programs and interventions for positive school climate. The CSSRC also provides trainings in topics such as adult sexual misconduct in schools, crisis preparedness and response, and youth suicide

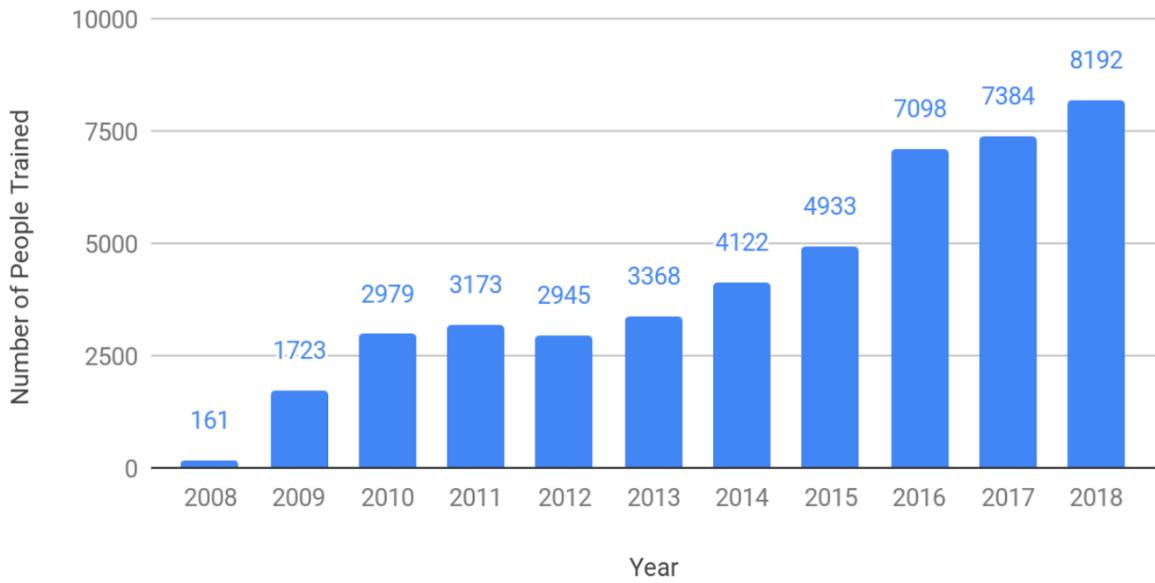
prevention and intervention. The CSSRC reports that staff have provided technical assistance and consultations in over 9,000 situations, including in-person and phone consultations with school professionals and parents, answering email questions, research requests for best practices in school safety, and regular meetings with school and community agencies.

Following the passage of the Claire Davis School Safety Act (S.B. 15-213), the CSSRC reports a significant increase in requests for training and assistance in threat assessments. The Claire Davis School Safety Act allows school districts and charter schools to be held liable if they fail to exercise reasonable care in protecting students, faculty, or staff from reasonably foreseeable acts of violence while at the school or engaged in school activities. Prior to the passage of the Act in 2015, the CSSRC conducted 20 threat assessment trainings. Since 2015, the CSSRC has conducted 125 threat assessment trainings. As shown in the tables below, generally, the number of training and consultations by the CSSRC have grown over the past 10 years. To date, the Department has been able to meet demands for consultation and training within existing resources.



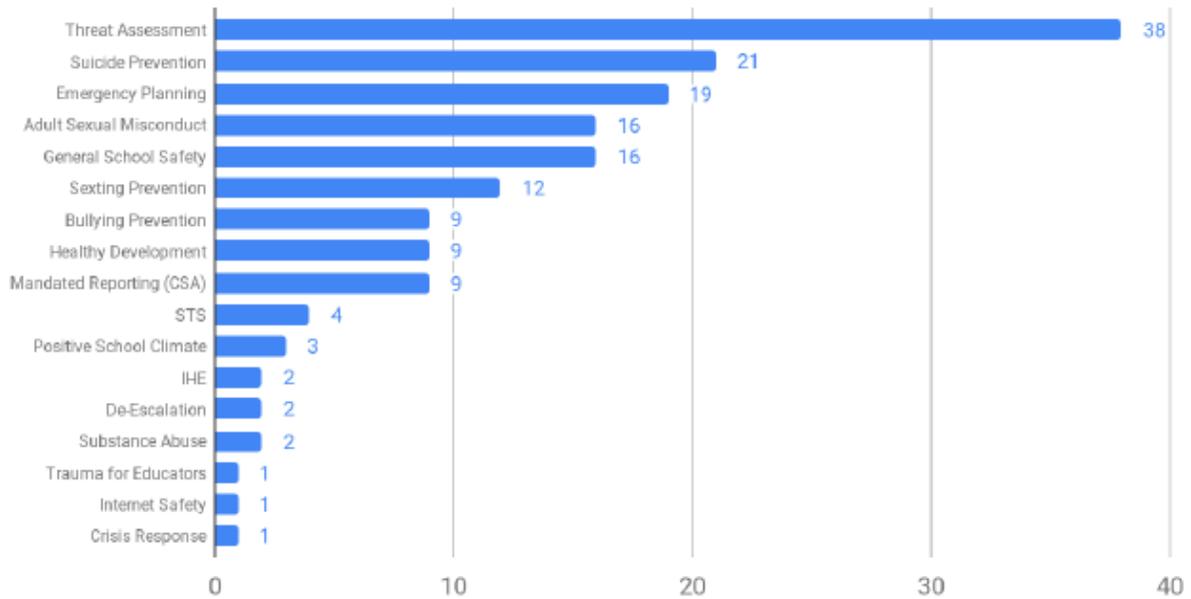
(Source: CSSRC 2018 Legislative Report)

NUMBER OF PEOPLE ATTENDING CSSRC TRAININGS



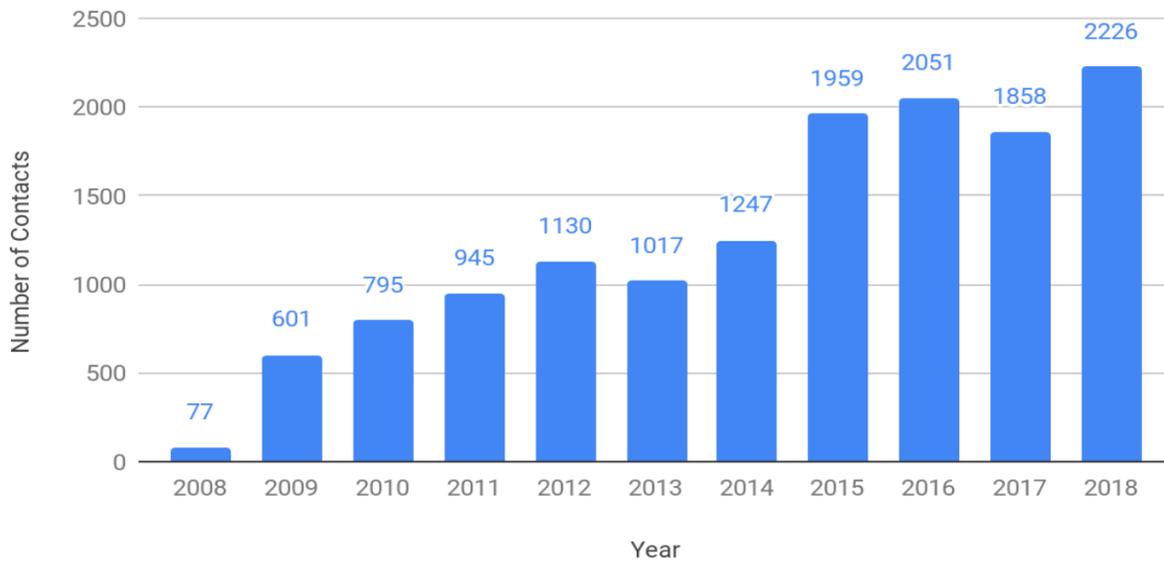
(Source: CSSRC 2018 Legislative Report)

TOPICS OF 2018 CSSRC TRAININGS AND PRESENTATIONS



(Source: CSSRC 2018 Legislative Report)

NUMBER OF CSSRC CONSULTATIONS



(Source: CSSRC 2018 Legislative Report)

FY 2018-19 and FY 2019-20 School Safety Funding

For FY 2019-20, the CSSRC received an appropriation of \$687,883 total funds and 6.0 FTE, including \$543,883 General Fund and \$144,000 cash funds from the Colorado School Safety Resource Center (CSSRC) Cash Fund. The program’s funding and FTE have remained relatively flat since FY 2013-14 (with increases only for centrally appropriated items such as salary survey), with the exception of a new child sexual abuse prevention position created in SB 15-020.

During the FY 2018-19 Long Bill amendment process, the General Assembly appropriated \$35.0 million to the Department of Public Safety to provide funding for school safety programs. The appropriation included a footnote which stated the General Assembly’s intent that the funding “be directed to local school districts, boards of cooperative services, and public schools (including charter schools) to use for: capital construction assistance for physical security; communication improvements; the training of school personnel and school resource officers; and/or coordination with emergency response teams.”

No grant program meeting that criteria existed in statute, so the funding was appropriated to the CSSRC Cash Fund, within the Department of Public Safety, pending the enactment of legislation authorizing such a grant program. This appropriation was directed to a new line item and did not increase spending authority for the program costs for the CSSRC. Instead, the funds were essentially reserved in the cash fund pending additional legislative action.

Three school safety grant programs were enacted in the 2018 session. (Note: while the cash funds reside in the CSSRC, the grants are administered out of the Division of Homeland Security and Emergency Management, due to the CSSRC’s limited staff and the Division’s existing capacity and expertise in administering grants.)

- Senate Bill 18-269 created the School Security Disbursement Grant Program, which received an appropriation of \$29.5 million cash funds from the CSSRC Cash Fund. Grant recipients are

required to use funds for building improvements to enhance security or to enhance security and training for school personnel.

- Senate Bill 18-158 created the School Access for Emergency Response (SAFER) Grant Program, which receives \$5.0 million cash funds beginning in FY 2018-19 and continuing through FY 2023-24. These funds are transferred from the State Public School Fund. The annual grant program will provide funding to schools and public safety communications networks for interoperable communication hardware, software, equipment maintenance, and training in order to increase communication between schools and first responders.
- House Bill 18-1413 created the Enhance School Safety Incident Response Grant Program, which received an appropriation \$500,000 cash funds from the CSSRC Cash Fund in FY 2018-19. Grant recipients are to use the funding to develop training programs, best practices, and protocols, for research and development, or for technology and infrastructure used for training.

Appropriations for these grants from the CSSRC Cash Fund totaled \$30.0 million, leaving \$5.0 million unallocated at the end of the 2018 session.

Senate Bill 19-179 (Enhance School Safety Incident Response Grant Program) modifies and provides \$1.15 million cash funds from the CSSRC Cash Fund for the Enhance School Safety Incident Response Program created in H.B. 18-1413. Following the 2019 session, \$3.85 million remains unallocated from the original \$35.0 million.

In addition, the General Assembly is taking several actions to address school safety over the 2019 interim. The School Safety Interim Committee will convene on July 11, 2019, to study statutes governing school safety, emergency response planning, and prevention of threats, as well as to review and evaluate programs and methods for identifying students in crisis. The Office of the State Auditor is currently conducting a review of statewide school safety programs, which is expected to be released in September 2019.

REQUEST

The Department requests \$327,549 cash funds and 4.0 FTE for FY 2019-20 to fund field staff for the Colorado School Safety Resource Center (CSSRC). This request is for FY 2019-20 only; the Department intends to submit a request for future years through the annual budget process. Specifically, this request seeks to target rural school districts.

To date, the Department has worked with 157 of 178 school districts in the state, or 88 percent of districts. The districts that have not received training or consultation from the CSSRC are primarily rural. These schools tend to have fewer resources available to dedicate to school safety. Additionally, the cost to attend trainings (primarily due to travel costs) can be prohibitive. While the CSSRC provides assistance to districts upon request, the Center has received feedback from small districts that they are reluctant to request assistance due to known resource constraints. The Department believes having regional representatives will increase participation and allow the CSSRC to address unmet needs for school safety services across the state.

Regional representatives would be located in the four quadrants of the state. These staff are expected to provide consultation, training, and technical assistance in-person, and provide additional support via email and phone consultations. Because these staff would be traveling or on-site a majority of the time, the request does not include leased space costs, but assumes that the staff

would work from home when not in the field. Denver staff would continue to support the Front Range districts, as well as the regional staff.

With approval of the request in June 2019, the Department believes they can hire, train, and place the additional FTE by October 2019 at the latest. If the request were submitted as part of the annual supplemental or budget cycle, this would be delayed until at least the end of the school year, if not the next school year.

INTERIM SUPPLEMENTAL CRITERIA

The request has been submitted in response to the STEM School Highlands Ranch shooting on May 7, 2019. The Department believes there is an urgent need to ensure all school districts are properly trained and prepared to respond to all safety related events, and believes that this is an immediate action that can be taken.

Section 24-75-111 (1)(b) allows for an overexpenditure if “the overexpenditure is necessary due to unforeseen circumstances arising while the general assembly is not meeting in regular or special session during which such overexpenditure can be legislatively addressed.”

The STEM shooting took place on May 7, after the session ended on May 3, which meets the criteria of a circumstance arising while the General Assembly is not meeting in regular or special session. However, while staff agrees that school safety concerns are of great importance, and ongoing efforts to prevent and respond to safety-related events are critical, whether this request introduces circumstances that were not present during the legislative session is questionable. The request does not respond to a specific need or new piece of information that came to light after the General Assembly adjourned. In recent years, both the executive and legislative branches have demonstrated a commitment to addressing school safety concerns through a variety of approaches, including the creation of an interim committee to address school safety, the \$31.2 million of school safety grants approved since FY 2018-19, an in-progress audit/review of school safety related programs across state departments, additional funding and expansion of capacity for Safe2Tell, and various programs dedicated to improving school safety and mental health among school-aged students.

Given these factors, the request does not seem to fully satisfy the statutory directive that interim supplementals be necessary due to unforeseen circumstances that occur when the General Assembly is not in session.

RECOMMENDATION

As outlined above, staff does not believe the request fully meets statutory criteria, and, therefore, recommends denying the request. In addition to criteria concerns, the Committee may wish to wait for the findings and recommendations developed from the School Safety Interim Committee and the Office of the State Auditor before making funding decisions, as the results of these efforts could impact budget and policy decisions for the entire General Assembly for the current or upcoming fiscal year.

That said, the General Assembly has expressed a clear interest in providing funding for school safety related programs. Additionally, given the availability of funds available in the School Safety Resource Center Cash Fund following the 2018 and 2019 sessions, staff sees value in directing those funds towards needs expressly outlined by the School Safety Resource Center, which was created by the

General Assembly to provide expertise to districts across the state. This request would allow all districts to better access the training and consultation provided by the Center, at a relatively low cost. If the Committee wishes to take immediate actions around school safety, staff believes this request is a reasonable and appropriate approach for broader statewide school safety efforts. However, staff would caution that the available funds are not ongoing. Assuming no additional appropriations are made from the School Safety Resource Center Cash Fund balance, the Department would require a General Fund appropriation in the future to support this request.