LEGISLATIVE SERVICES AGENCY
Serving the Iowa Legislature

Holly M. Lyons
Division Director
State Capitol
Des Moines, IA 50319

Phone: 515.281.7845
E-mail: holly.lyons@legis.iowa.gov

TO: Members of the Iowa General Assembly

FROM: Holly M. Lyons, Fiscal Services Division Director

SUBJECT: Minority Impact Statement

DATE: January 27, 2021

Pursuant to Iowa Code section 2.56(1), the Legislative Services Agency is required to determine the potential correctional impact on minorities of proposed legislation that creates a public offense, changes a current offense, or changes existing correctional procedures. Minority persons are defined in Iowa Code section 8.11 as women, persons with a disability, African Americans, Latinos, Asians or Pacific Islanders, American Indians, and Alaskan Native Americans. Disability is defined in Iowa Code section 15.102(10)(b)(1). The statements below provide background information regarding minorities in the correctional system from a national and State perspective.

Federal and Iowa Census Information

The U.S. Census permits people to identify their race and ethnicity. The table below provides the latest census estimates as of July 1, 2019. The population estimate for Iowa was 3.2 million. In addition, approximately 11.8% of Iowa's population had at least one disability in 2019.

	Total Population	Male	Female	Caucasian	African American	American Indian/Alaska Native	Asian	Hawaiian/ Other Pacific Islander	Hispanic
National Census	328.2 million	49.2%	50.8%	72.0%	12.8%	0.9%	5.7%	0.2%	18.4%
Iowa Census	3.2 million	49.8%	50.2%	89.9%	4.1%	0.4%	2.4%	0.1%	6.3%

Federal and Iowa Prison System Information

The U.S. Department of Justice (DOJ) estimates there was a total of 1.5 million prisoners in federal or state prisons on December 31, 2017 (the most recent data available). The table below provides national statistics for offenders sentenced to more than one year of incarceration in calendar year 2017. The Iowa prison population and racial composition data are as of June 30, 2020.[1] At the close of FY 2020, there were 7,574 inmates in Iowa prisons.

	Total Population	Male	Female	Caucasian	African American	American Indian/Alaska Native	Asian/Pacific Islander	Hispanic	Other or Unknown
National Prison Population	1,489,363	92.5%	7.5%	30.3%	33.1%	N/A	N/A	23.4%	13.3%
Iowa Prison Population	7,574	92.1%	7.9%	65.1%	25.5%	1.9%	0.8%	6.7%	0.0%

[1] 2020 Iowa Prison Population Forecast, Department of Human Rights, Criminal and Juvenile Justice Planning Division.

Federal and Iowa Probation and Parole Information

According to the DOJ, on December 31, 2016, there were 3.7 million offenders on probation supervision and 874,800 offenders on parole supervision (the most recent data available). The table below provides national statistics by gender and race for those populations.

According to the Iowa Department of Corrections, on June 30, 2019, there were 30,992 Iowa offenders under supervision in Community-Based Corrections (CBC). Data from the Criminal and Juvenile Justice Planning Division (CJJP) of the Department of Human Rights (DHR) showing the gender and racial composition of the CBC offender population is included in the table below.

	Population	Male	Female	Caucasian	African American	Asian/Pacific Islander	American Indian/Alaska Native	Other/Unknown	Hispanic
National Probation Supervision	3,673,100	75.0%	25.0%	55.0%	28.0%	1.0%	1.0%	N/A	14.0%
National Parole Supervision	874,800	87.0%	13.0%	45.0%	38.0%	1.0%	1.0%	N/A	15.0%
Iowa CBC	39,000	75.2%	24.8%	73.5%	19.1%	1.1%	1.1%	0.0%	5.2%

LSA Staff Contacts: Laura Book (515.205.9275) laura.book@legis.iowa.gov
Christin Mechler (515.250.0458) christin.mechler@legis.iowa.gov

Doc ID 1156181

SB 20-065

Legislative Council Staff

Nonpartisan Services for Colorado's Legislature

Final Demographic Note

Drafting Number:	LLS 20-0016	**Date:**	July 30, 2020
Prime Sponsors:	Sen. Hansen Rep. Roberts	**Analyst:**	Elizabeth Ramey | 303-866-3522 Elizabeth.ramey@state.co.us
BILL TOPIC:	**LIMIT MOBILE ELECTRONIC DEVICES WHILE DRIVING**		
Demographics Analyzed:	• Race/Ethnicity • Sex		
Direct Impact(s):	☐ Economic ☐ Health ☒ Public Safety ☐ Employment ☐ Education		
Bill Impact:	Considering available data, this bill was not expected to significantly impact existing public safety disparities across race/ethnicity or sex.		
Report Status:	This demographic note reflects the reengrossed bill. The bill was postponed indefinitely by the House Committee on Transportation and Local Government on May 27, 2020; therefore, the impacts identified in this analysis do not take effect.		

Demographic Impact Summary

This demographic note[1] analyzes potential impacts of Senate Bill 20-065 on disparities in public safety and related outcomes by race/ethnicity, and sex.[2] The bill would have expanded the existing prohibition on wireless telephone use while driving to all mobile electronic devices and to all drivers regardless of age. Prior research suggests that males and black/African Americans are more likely to be subject to traffic stops than other demographics. Based on available data, white individuals are most likely to experience a traffic stop for mobile device use, and males are slightly more likely to experience a traffic stop than females. Compared with other traffic stops, a relatively small number of individuals have been stopped historically for mobile device violations. Considering available data, this bill was not expected to significantly impact existing public safety disparities by race/ethnicity, or sex. Data are limited to information on traffic stops by the Colorado State Patrol, and do not include data at the local law enforcement level.

[1]Pursuant to Section 2-2-322.5, C.R.S., this demographic note uses available data to outline the potential impacts of proposed legislation on disparities within the state. Disparities are defined by statute as the difference in economic, employment, health, education, or public safety outcomes between the state population as a whole and subgroups of the population, as defined by socioeconomic status, race, ethnicity, sex, gender identity, sexual orientation, disability, geography, or any other relevant characteristic for which data are available. It is beyond the scope of this analysis to examine each of the varied causes contributing to a given disparity. For further information on the contents of demographic notes, see "Demographic Notes Overview" Memorandum available at https://leg.colorado.gov/sites/default/files/images/lcs/demographic_notes_overview.pdf. .

[2] Terminology used to distinguish demographic groups (e.g., black/African American, Hispanic or Latina/Latino) is based on the terminology used in the data sources referenced. These terms may differ from the self-identification of these populations and among data sources.

Key Provisions Impacting Demographic Disparities

Under current law, drivers under the age of 18 are prohibited from using a wireless telephone while driving. Drivers of all ages are prohibited from texting while driving. The bill would have extended these provisions by prohibiting the use of any mobile electronic device while driving for drivers of all ages unless the driver is contacting a public safety entity, there is an emergency, the driver is performing duties as a first responder, or the driver is over 18 and using a hands-free accessory. For further background, consult the fiscal note for SB 20-065.

Legislative background. Under current law, as enacted under Senate Bill 17-027, drivers aged 18 and over can receive a texting violation only if the texting is observed by a law enforcement officer and causes the operator to drive in a "careless and imprudent manner."[3] Prior to the effective date of SB 17-027, or June 1, 2017, a law enforcement officer could cite a driver for texting, whether or not the driver was observed driving carelessly. The bill would repeal the restrictions established by SB17- 027.

Analysis and Findings

The following analysis compares the populations affected by the bill to the relevant statewide or local populations across different demographic groups. Based on differences between affected and comparison populations, this analysis identifies potential effects of the bill on existing disparities. For detailed information on the data used, see Appendices A and B.

Background

Existing disparities in traffic stops across race/ethnicities. Many studies find that certain demographics are more likely to be subject to traffic stops in the United States than others.[4] For example, one 2019 large-scale study using data from 21 state patrol agencies (including the Colorado State Patrol) and 29 municipal police departments (including the Aurora Police Department) with nearly 100 million traffic stops nationwide, found significant disparities in traffic stops by race.[5] In general, black drivers are stopped at higher rates than their share of the population, while whites and Hispanics are stopped at lower rates. Black and Hispanic drivers are searched more often than white drivers when stopped. Consistent with findings from other research, the 2019 study identified racial bias as a factor contributing to these disparities.[6] This and other studies note that in many cases, racial bias cannot be established definitively with available data.

[3] Section 42-4-239 (6)(b), C.R.S. See Legislative Council Staff Issue Brief, "Distracted Driving Laws in Colorado." Available at: https://leg.colorado.gov/sites/default/files/ib_17-28_update_ip_memo_cell_phones_and_distracted_driving_laws_in_colorado.pdf.
[4] Bureau of Justice Statistics. 2015. "Contacts Between Police and the Public, 2015." Available at: https://www.bjs.gov/index.cfm?ty=pbdetail&iid=6406.
[5] Stanford Computational Policy Lab. 2019. "A Large-scale Analysis of Racial Disparities in Police Stops Across the United States. Available at: https://openpolicing.stanford.edu/. The data in this study is made available to the public through Stanford Open Policy Project.
[6] See also Baumgartner, F., et al. 2017. "Racial Disparities in Traffic Stop Outcomes." *Duke Forum for Law and Social Change*. 9(21).

Existing disparities in traffic stops across sex. Data suggest that a greater proportion of men than women are subject to traffic stops.[7] However, this difference may be partly explained by differences in other factors, such as driver behavior or time spent on the road. For example, research has found that men are more likely to engage in aggressive driving behaviors and to drive more miles per year on average than women.[8]

Demographics of cell phone use while driving. The National Occupant Protection Use Survey (NOPUS), conducted annually by the National Highway Traffic Safety Administration (NHTSA), observed that driver behavior differs according to gender, race, and age, among other factors, with handheld cell phone use higher among females, blacks, and 16- to 24-year-olds.[9] While this study addresses demographics associated with the behavior prohibited under the bill, it does not report on whether these behaviors result in traffic stops.

Bans on mobile device use in other states. As of February 2020, 21 states and the District of Columbia ban hand-held wireless device use for all drivers. All are primary enforcement laws, meaning an officer may cite a driver for using a handheld cellphone without any other traffic offense taking place.[10] Massachusetts became the latest state to pass such a ban when the governor signed the legislation on January 1, 2020. Staff were unable to locate studies of traffic stops before and after the implementation of similar legislation.

Demographic Comparisons

For traffic stops, information on driver race, ethnicity, and gender is collected by the Colorado State Patrol, with race/ethnicity and sometimes gender attributed to drivers by officers at the scene of the stop.[11] In a small number of instances, officers reported "unknown" responses to demographic characteristics. Figure 1 provides a comparison of the racial/ethnic composition of the statewide population and the drivers who were issued a warning or ticket for violating existing law regarding the use of wireless telephones while driving in Colorado. Because the bill would return to the pre-2017 criteria for law enforcement officers to conduct such traffic stops, data are restricted to traffic stops that occurred in 2015 and 2016.[12] Relative to the statewide population, Figure 1 shows that whites are overrepresented among those who were issued a warning or ticket for wireless telephone use while driving, and that blacks, Hispanics, and individuals of other non-Hispanic races are underrepresented. The figure also shows that men are over- and women under-represented among the affected population relative to the statewide population.[13]

---

[7] Bureau of Justice Statistics. 2015. "Contacts Between Police and the Public, 2015." Available at: https://www.bjs.gov/index.cfm?ty=pbdetail&iid=6406.

[8] Rudisill, R. and Z. Motao. 2016. "Who Actually Receives Cell Phone Use While Driving Citations and How Much Are These Laws Enforced Among States?" Available at: https://www.ncbi.nlm.nih.gov/pubmed/27301485.

[9] NHTSA. 2019. "Driver Electronic Device Use in 2018." Available at: https://crashstats.nhtsa.dot.gov/Api/Public/ViewPublication/812818. These differences are based on observations of a sample of drivers and may over- or under-estimate these differences in the population.

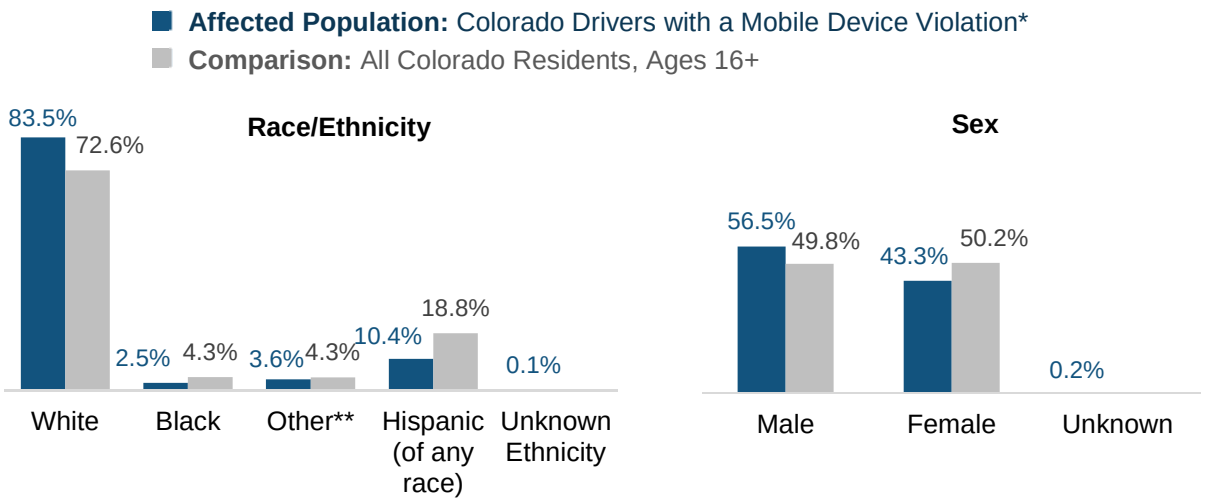
[10] Governor's Highway Safety Association. 2020. "Distracted Driving Laws by State." Available at: https://www.ghsa.org/sites/default/files/2020-02/DistractedDrivingLawChart-FEB20_0.pdf.

[11] Beginning on March 1, 2017, with the passage of HB 16-1021, applicants for driver's licenses and state-issued identification cards are given the opportunity to self-identify race or ethnicity. This information is stored in the card's magnetic strip and accessible to law enforcement officers. This may improve the accuracy of race/ethnicity data gathered by Colorado law enforcement agencies.

[12] Similar results hold when all data from 2014 to 2019 are included.

[13] In addition, minor drivers (ages 16 to 17), were not found to be disproportionately over- or under-represented among those with wireless telephone use violations compared to the presence of 16 to 17 year-olds in the statewide population.

Figure 1
Population Comparisons, 2015-2016
Share of Total Population



Sources: Colorado State Patrol, Crime Analysis Unit; Colorado State Demography Office.
**Includes individuals receiving either a ticket or verbal/written warning.*
***"Other" includes Asian, American Indian or Native Alaskan, Native Hawaiian or other Pacific Islander, and for Colorado drivers, non-Hispanic, unknown race.*

Data Limitations. Available data are limited to information on traffic stops by the Colorado State Patrol, and do not include information about local Colorado law enforcement activities, including traffic stops for municipal police officers and county sheriffs who are expected to be more likely to conduct traffic stops for mobile device use.

Direct Impacts

In general, evidence suggests that traffic stops for cell phone use account for a small proportion of traffic violations. One multi-state study found cell phone use while driving citations comprised 1 percent of all traffic citations.[14] Based on the small population impact of these types of traffic citations, as well as on the comparison between the statewide and affected populations shown in Figure 1, this analysis suggests that SB 20-065 would not have significantly impacted existing racial/ethnic or gender disparities in traffic stops; however, the full impact of historical cell phone prohibitions is not known for Colorado due to the data limitations discussed above. Data in Figure 1 do suggest that white males would have been most likely to receive a citation based on historical data. However, the number of individuals impacted was expected to be small relative to other traffic violations.

[14] Rudisill, R. and Z. Motao. 2016. "Who Actually Receives Cell Phone Use While Driving Citations and How Much Are These Laws Enforced Among States?" Available at: https://www.ncbi.nlm.nih.gov/pubmed/27301485.

Indirect Impacts

To the extent that the bill would have resulted in a lower incidence of distracted driving, the resulting increases in safety could have reduced public safety disparities for those vulnerable to injury by distracted drivers, including pedestrians, bicyclists, and people with disabilities. This may also have improved outcomes for low-income individuals who are more likely to lack access to health care or to lose income or employment in the event of an accident or injury.

Demographics Not Analyzed

Some demographic groups could not be included in this analysis due to data limitations. Data on the relevant populations delineated by socioeconomic status, disability, gender identity, and sexual orientation were not available at the time of the analysis. Data delineated by geography are available in some cases, but are incomplete.

Data Sources and Agencies Contacted

Department of Public Safety, Colorado State Patrol

SB 20-065

Appendix A
Statewide and Affected Populations

As required by state statute, this demographic note compares the population affected by a bill to a statewide population in order to examine the extent to which a bill might affect disparities across groups within the state of Colorado. The statewide population in this case is the population of Colorado drivers in 2020 and beyond. The population affected by SB 20-065 is assumed to be members of the statewide population who will be stopped by a Colorado law enforcement officer for a violation related to the use of mobile electronic devices while driving. Due to data limitations, proxy populations that estimate the affected and statewide comparison population are used in this analysis. These proxy populations are summarized in the table below.

Population	Direct Measure	Proxy Measure(s) Used	Data Sources Used
Population Affected by the Bill	Members of the population of drivers who will be stopped by a Colorado law enforcement officers for a violation related to the use of mobile electronic devices while driving	Colorado drivers issued a warning or cited for a violation by the Colorado State Patrol, 2015-2016,	Colorado State Patrol, Crime Analysis Unit
Statewide Comparison Population	All Colorado drivers who use mobile electronic devices while driving	All Colorado residents, average 2015-2016	Colorado State Demography Office

SB 20-065

Appendix B
Population Data Used in Analysis

Race/Ethnicity

	Affected Population *Colorado Drivers with a Mobile Device Violation, 2015-2016**		**Statewide Comparison** *All Colorado Residents, 16 and Over, 2015-2016 Average*	
Race/Ethnicity	Population	Share of Total	Population	Share of Total
White	2,506	83.5%	3,178,810	72.6%
Black	74	2.5%	188,106	4.3%
Other**	107	3.6%	186,734	4.3%
Hispanic (of any race)	312	10.4%	824,430	18.8%
Unknown Ethnicity	3	0.1%	N/A	
TOTAL	**3,002**	**100.0%**	**4,378,080**	**100.0%**

Sources: Colorado State Patrol, Crime Analysis Unit; Colorado State Demography Office
**Includes individuals receiving either a ticket or verbal/written warning for adult texting while driving and under eighteen use of telephone while driving;*
***"Other" includes Asian, American Indian or Native Alaskan, Native Hawaiian or other Pacific Islander, and for Colorado drivers, non-Hispanic, unknown race*

Gender

	Affected Population *Colorado Drivers with a Mobile Device Violation, 2015-2016**		**Statewide Comparison** *All Colorado Residents, 16 and Over, 2015-2016 Average*	
Gender	Population	Share of Total	Population	Share of Total
Male	1,697	56.5%	2,181,405	49.8%
Female	1,300	43.3%	2,196,675	50.2%
Unknown	5	0.2%	N/A	
TOTAL	**3,002**	**100.0%**	**4,378,080**	100.0%

Sources: Colorado State Patrol, Crime Analysis Unit; Colorado State Demography Office
** Includes individuals receiving either a ticket or verbal/written warning for adult texting while driving and under eighteen use of telephone while driving*

SB 21-037

Legislative Council Staff

Nonpartisan Services for Colorado's Legislature

Final Demographic Note

Drafting Number:	LLS 21-0467	**Date:**	July 28, 2021
Prime Sponsors:	Sen. Lundeen	**Analyst:**	Elizabeth Ramey | 303-866-3522 Elizabeth.ramey@state.co.us

BILL TOPIC: **STUDENT EQUITY EDUCATION FUNDING PROGRAMS**

Demographics Analyzed:
- Socioeconomic Status
- Geography
- Race/Ethnicity

Direct Impact(s):

☒ Economic	☐ Health	☐ Public Safety
☐ Employment	☒ Education	

Bill Impact: This bill would have improved economic outcomes for parents by providing educational payments to their school-age children. The bill may have reduced economic and education disparities by race/ethnicity and geography through these educational payments to families. To the extent that payments to parents would have reduced available public school funding, the bill may have indirectly reduced education outcomes for public school students.

Report Status: This demographic note reflects the introduced bill. The bill was not enacted into law; therefore, the impacts identified in this analysis do not take effect.

Demographic Impact Summary

This demographic note[1] analyzes potential impacts of SB 21-037 on disparities in economic and educational outcomes by geography, race and ethnicity, and socioeconomic status.[2] SB 21-037 requires local education providers, including public school districts and Charter School Institute schools, to implement a student equity funding program that provides education payments to families impacted by school closures. Payments are made to affected families in amounts equal to the state share of per pupil funding for each of the parent's eligible students. As a result of these payments, economic and education outcomes for families with school-age children in affected districts will improve, potentially decreasing economic and education disparities by race/ethnicity and by geography. Based on school closures during the 2020-21 academic year, demographic characteristics of students in impacted districts suggest that minority students living in certain regions, including metropolitan areas and mountain resort communities, as well as some areas in the south and west of

[1]Pursuant to Section 2-2-322.5, C.R.S., this demographic note uses available data to outline the potential impacts of proposed legislation on disparities within the state. Disparities are defined by statute as the difference in economic, employment, health, education, or public safety outcomes between the state population as a whole and subgroups of the population, as defined by socioeconomic status, race, ethnicity, sex, gender identity, sexual orientation, disability, geography, or any other relevant characteristic for which data are available. It is beyond the scope of this analysis to examine each of the varied causes contributing to a given disparity. For further information on the contents of demographic notes, see "Demographic Notes Overview" Memorandum available at https://leg.colorado.gov/sites/default/files/images/lcs/demographic_notes_overview.pdf. .

[2] While income is often used as a proxy for socioeconomic status, it is a complex confluence of factors including, but not limited to, education and occupation in addition to income. Due to data limitations, income is largely used as a proxy for socioeconomic status in this analysis.

the state, are more likely to be impacted by SB 21-037 through payments made in FY 2021-22.[3] Impacts of school closures beyond the 2020-21 school year cannot be determined at this time and are not considered in the analysis.

If payments to parents result in reducing available public school funding, the bill may have subsequent impacts on educational outcomes for students attending affected public schools depending on the funding decisions made at the local level. These impacts may offset the income and educational outcomes resulting from the payments made to families or may increase existing disparities for public school students. Potential impacts due to shifting of resources from public to private educational services cannot be determined at this time as school funding decisions cannot be known.

Key Provisions Impacting Demographic Disparities

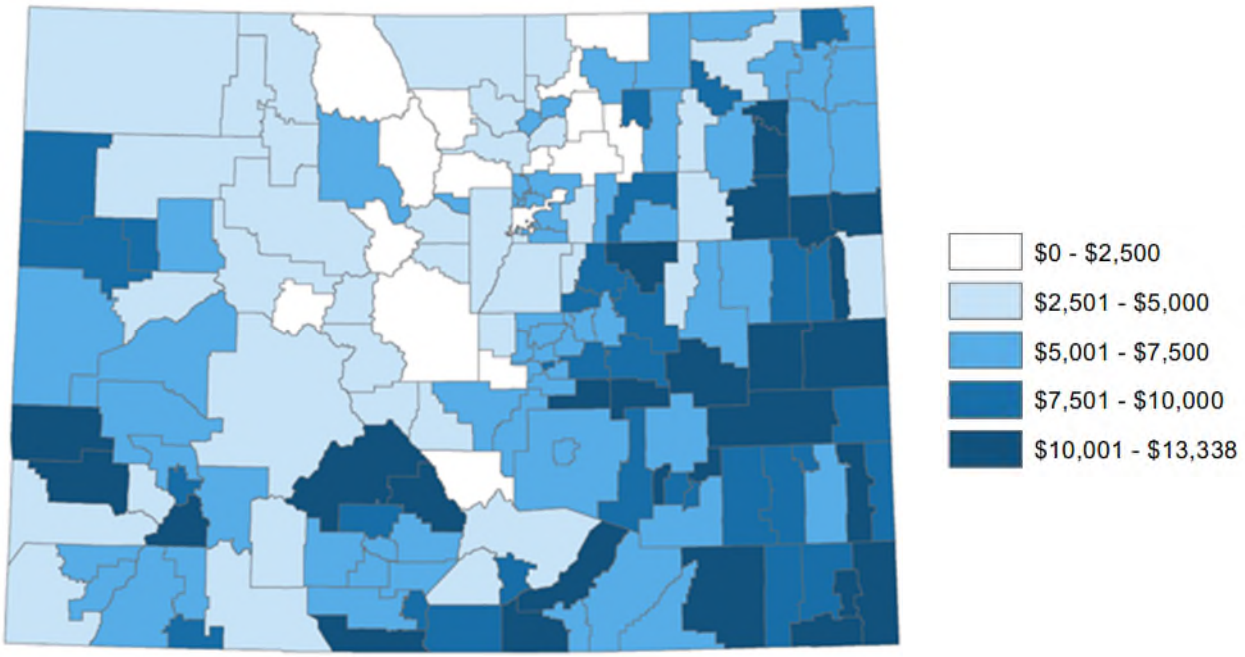
Beginning with the 2021-22 school year, the bill requires that each school district and Charter School Institute school that was closed to in-person instruction for 30 or more school days in the prior school year implement a student equity education funding program for the purchase of educational services and supplies for eligible students. The program pays parents the state share portion of the education provider's per pupil revenue for each of the parent's eligible students. A parent is paid for each student that was either enrolled in the school district the prior year, or was not enrolled either in public or private school but resided in the geographic boundaries of the district in the prior year. For further background, consult the fiscal note for SB 21-037.

Background

Legislative background. Under the School Finance Act, public school funding comes from a combination of state and local sources. Each school district's local share is calculated first, and state aid makes up the difference between the local portion and the total funding identified through the school finance formula. The state share of revenue per pupil varies widely across school districts, as shown in Figure 1. Forecast values for FY 2021-22, the first year to which the bill is applicable, range from a low of $0 for districts that are 100 percent locally funded, to $13,338 for FY 2021-22, after the budget stabilization factor is applied. The statewide average state share is expected to be $4,888 per pupil. This bill will reflect these existing geographical disparities in the amount of funding provided to parents of students eligible for the equity education programs.

[3] Terminology used to distinguish demographic groups (e.g., black/African American, Hispanic or Latina/Latino) is based on the terminology used in the data sources referenced. These terms may differ from the self-identification of these populations.

Figure 1
Estimated State Share of Revenue per Pupil by District, FY 2021-22



Source: Legislative Council Staff.

Existing disparities in educational attainment. Educational achievement gaps in the U.S. by socioeconomic status and race/ethnicity are well-documented. Studies find that these gaps are large and persistent. For example, one study found large and persistent achievement gaps by socioeconomic status, with students in the lowest groups three to four years behind students in the highest groups.[4] While race and ethnicity are correlated with income, with black/African American and Hispanic/Latinx families more likely to belong to lower-income groups, achievement gaps exist between white students and students of color, even if income is held constant. Black/African American and Hispanic/Latinx students are roughly two years behind the average white student.[5]

COVID-19-related impacts on existing disparities. While it is too soon to measure long-term impacts on educational achievement, school closures in response to the COVID-19 pandemic may contribute to increasing existing achievement gaps. Available evidence suggests that pandemic-related educational and economic disruptions have disproportionately impacted low-income, black/African American, Hispanic/Latinx, and other nonwhite families as well as families with children, both in the U.S. and Colorado.[6] Interactions between income inequality and education achievement gaps are likely to exacerbate these impacts.

---

[4] Hanushek, E., et. al. 2019. "The Unwavering SES Achievement Gap: Trends in U.S. Student Performance." NBER Working Paper. Available at: https://www.nber.org/system/files/working_papers/w25648/w25648.pdf.

[5] Dorn, E., et. al. 2020. "COVID-19 and Student Learning in the United States." McKinsey and Company. Available at: https://www.mckinsey.com/industries/public-and-social-sector/our-insights/covid-19-and-student-learning-in-the-united-states-the-hurt-could-last-a-lifetime.

[6] Armantier, O. et. al. "The Disproportionate Effects of COVID-19 on Households with Children." 2020. Federal Reserve Bank of New York. Available at: https://libertystreeteconomics.newyorkfed.org/2020/08/the-disproportionate-effects-of-covid-19-on-households-with-children.html; Choi, D. and Briggs, J. "The Reopening of Schools. 2020. Goldman Sachs; Dorn. E. et. al. "COVID-19 and Learning Loss." McKinsey and Company. Available at: https://www.mckinsey.com/industries/public-and-social-sector/our-insights/covid-19-and-learning-loss-disparities-grow-and-students-need-help# ; Legislative Council Staff. "Income Inequality in Colorado and COVID-19 Impacts. 2021. Available at: https://leg.colorado.gov/publications/income-inequality-colorado-and-covid-19-impacts; Smith, E. and Reeves, R. "Students of Color Most Likely to Be Learning Online." Brookings Institute. 2020. Available at:

Demographic Comparisons

The following analysis compares the population affected by the bill to the statewide population across different demographic groups, as required by statute.[7] In this case, the affected population is defined as students in school districts in which in-person learning was suspended for at least 30 days during the 2020-21 school year. The comparison population is the statewide population of students. For informational purposes, data are also reported on students in the districts where in-person learning was not suspended or was suspended for less than 30 days. This analysis identifies potential effects of the bill on existing disparities based on demographic differences between affected and statewide populations. For detailed information on the data used, see Appendices A and B.

FY 2020-21 learning modes. The Colorado Department of Education (CDE) maintains data on the learning environment in each of Colorado's 178 public school districts during the 2020-21 school year. These data are collected once monthly, and provide a snapshot of learning conditions on the first day of each month, reflecting data collected during the previous month. For a list of school districts by learning mode, see Appendix A.

Table 1 presents district information by learning mode. Almost half of districts experienced at least two months of either remote or hybrid learning or both in either elementary or middle school or both during the 2020-21 school year, accounting for the majority of students. Data are not available for two districts, accounting for 0.01 percent of students. Hybrid learning procedures vary across the state, with students learning in-person from one to three days per week. Omitting hybrid-only schools does not substantially alter the demographics, and including them provides an upper-bound estimate of impacted students.

Table 1
District Information by Learning Mode

	Remote/ Hybrid[1]	In-Person	Statewide
Number of Districts[2]	83	93	178
Funded Pupil Count[3]	776,631	111,819	888,556
Share of Statewide Funded Pupil Count	87.4%	12.6%	100%
State Share per Funded Pupil Count[4]	$4,764	$5,749	$4,888
Average Funded Pupil Count per District	9,357	1,202	4,992

[1]Districts in which either elementary or middle/high school or both were closed to in-person instruction for two or more months.
[2] Legislative Council Staff calculations based on Colorado Department of Education information; based on learning conditions September 1, 2020 to February 1, 2021.

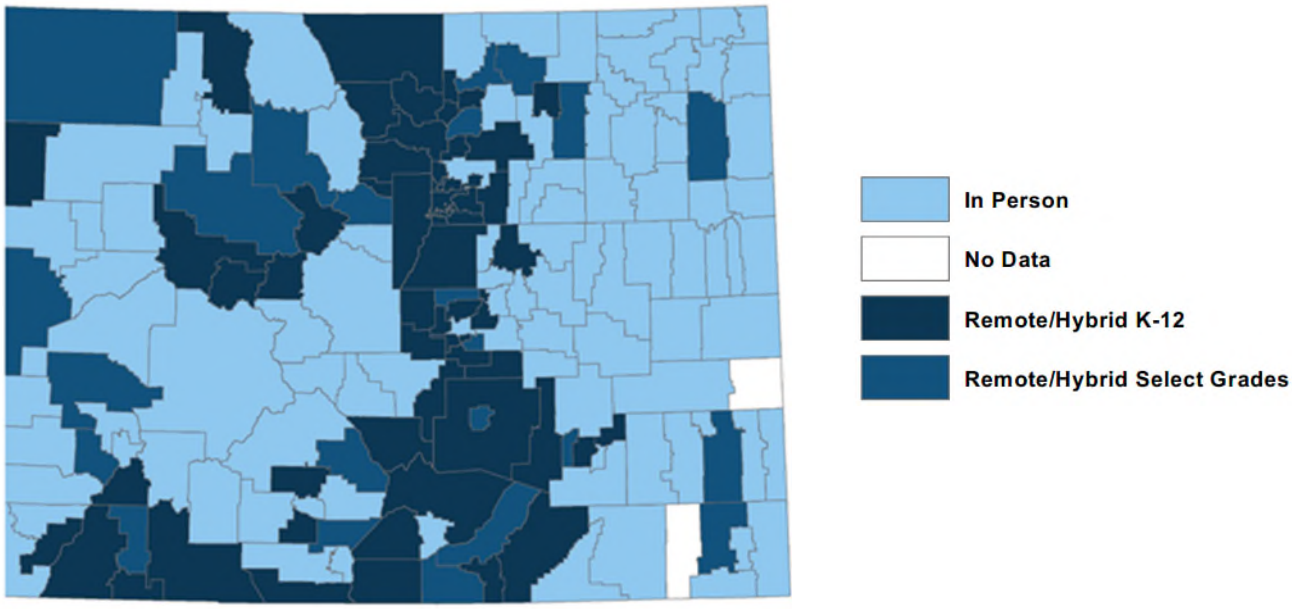
[3] Legislative Council Staff, December forecast for FY 2021-22.

Learning modes by geographic location. Geographic location of districts by learning mode is presented in Figure 2. As shown, in-person-only districts tend to be located in rural areas, and have fewer students, which accounts for the higher state share per pupil, as these districts receive additional state funding through the size factor. Remote/hybrid districts are clustered around metropolitan areas and mountain resort communities, as well as some relatively economically disadvantaged areas in the south and west of the state.

https://www.brookings.edu/blog/how-we-rise/2020/09/23/students-of-color-most-likely-to-be-learning-online-districts-must-work-even-harder-on-race-equity/.

[7] See Section 2-2-322.5, C.R.S.

Figure 2
School Districts by Learning Mode, 2020-21



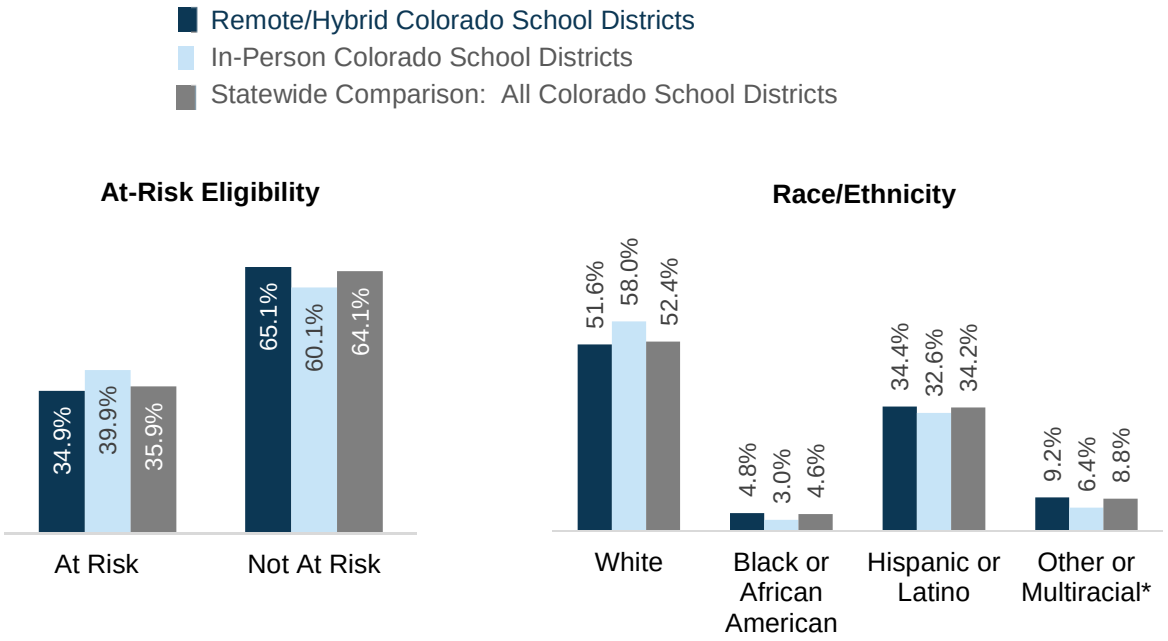
Source: Legislative Council Staff calculations based on Colorado Department of Education information; based on learning conditions September 1, 2020 to February 1, 2021.

District at-risk and race/ethnicity compositions. Figure 3 provides a comparison of student populations by learning mode and by race/ethnicity and by at-risk status as a proxy for income for the 2020-21 school year.[8] There is a lower share of at-risk students in remote/hybrid learning modes (34.9 percent) than among the statewide population (35.9 percent) and in-person learners (39.9 percent). This is likely partially due to the high representation of at-risk learners in rural districts, many of which remained learning in-person during the 2020-21 school year.

The data also suggest that remote/hybrid districts have a higher proportion of minority and multiracial students compared to the state as a whole and to in-person districts. The aggregated data may mask conditions within some remote/hybrid districts: over one-third of remote/hybrid districts have a population of at-risk learners of 50 percent of more, compared to 14 percent among in-person districts.

[8] At-risk pupils are defined as students from low-income families, as measured by eligibility for free lunches under the National School Lunch Act. At-risk students also include a limited number of non-English-speaking students.

Figure 3
Population Comparisons
Share of Total Population



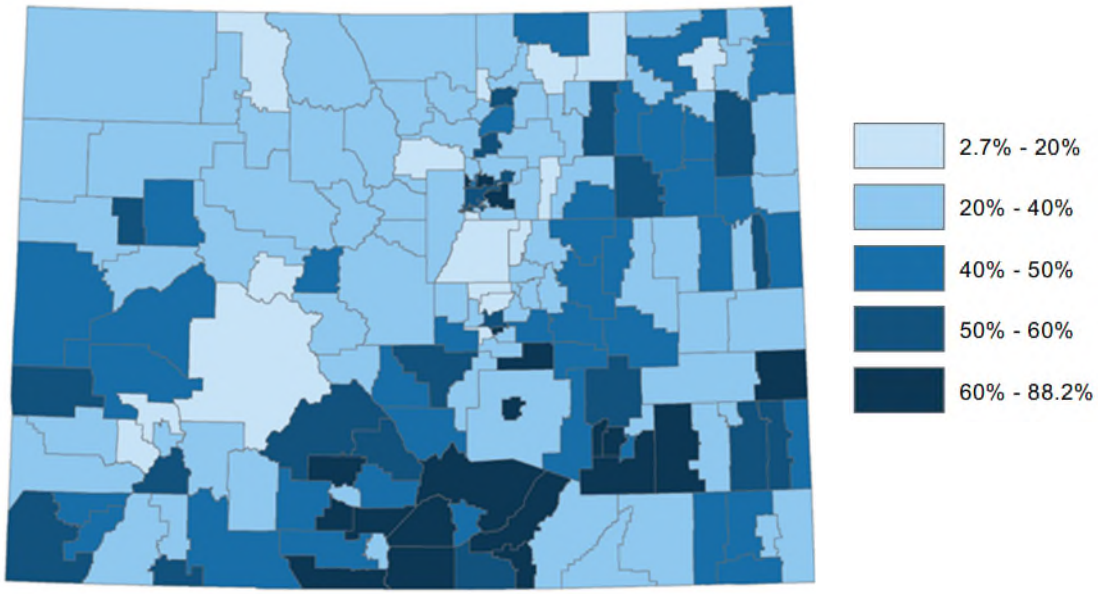
Sources: Legislative Council Staff calculations based on Colorado Department of Education data; Colorado Department of Education.
** "Other" races include American Indian or Alaskan Native, Asian, and Native Hawaiian or Other Pacific Islander.*

Figures 4 and 5 show the geographic dispersion of at-risk students and minority students. Districts with a larger share of at-risk students are in urban districts and scattered across rural districts throughout the state, including in the south, west and eastern plains. Minority students are likewise concentrated in urban districts as well as in mountain resort communities and some rural communities, particularly in the San Luis Valley and southwest mountain regions. While at-risk and minority students are similarly distributed in metropolitan and southern regions, notable differences include concentrations of minority students in the mountain resort areas, which have lower shares of at-risk students, as well as concentrations of at-risk students in the eastern plains districts, which have lower shares of minority students.

Data limitations. The CDE data provides only an approximation of schools closed to remote learning for 30 or more school days during the 2020-21 school year, based on public websites and releases by each district and updated once monthly. The data do not include students enrolled in Charter School Institute schools, BOCES schools, Colorado School for the Deaf and Blind, or the Colorado Detention Center. Together, these schools account for 26,880 students (3.0 percent) in the 2020-21 school year.

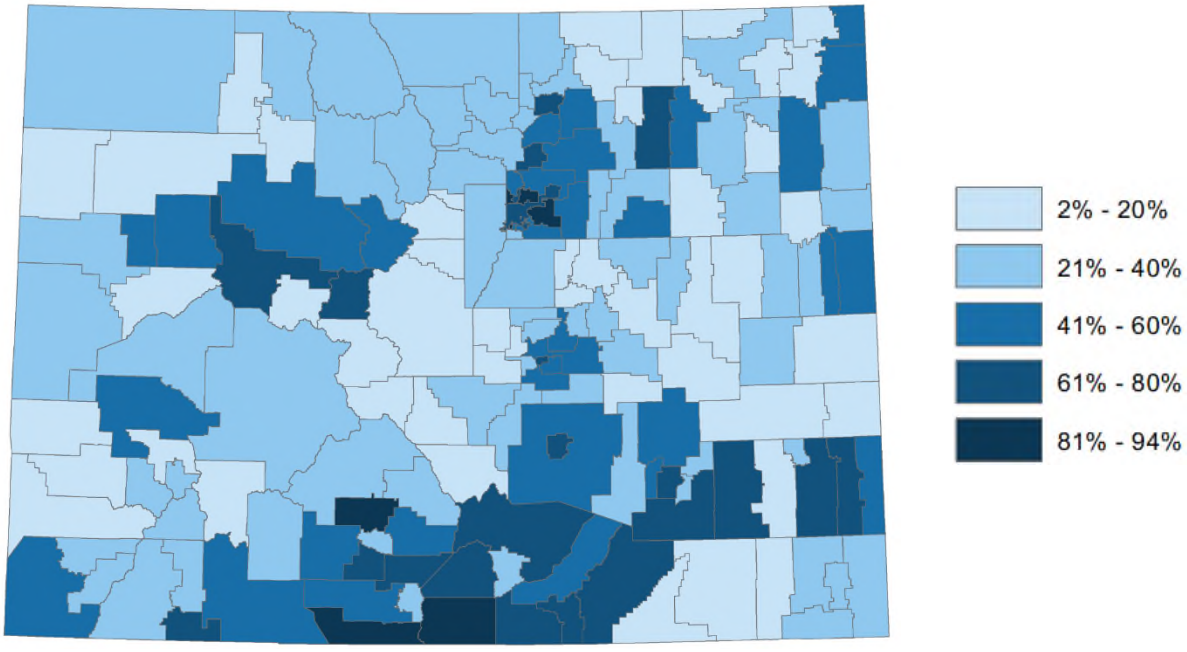
In addition, data do not include home-schooled students, who may be eligible to participate in the student equity education program if they live in an affected district. According to the CDE, in the 2020-21 school year, there are 15,773 home-schooled students statewide (1.8 percent), up from an average of 7,371 from 2009 through 2019. Omitted students account for 4.7 percent of the statewide student population.

Figure 4
School Districts by Share of At-Risk Students, FY 2021-22



Source: Legislative Council Staff.

Figure 5
School Districts by Share of Minority Students, FY 2020-21



Source: Legislative Council Staff.

Analysis and Findings

SB 21-037 may have impacts on economic and educational outcomes for affected populations as well as on educational and employment outcomes for public school students in impacted districts. By providing direct payments to parents of students affected by school closures, economic outcomes for families with school-age children in affected districts will improve. If the bill shifts resources from public to private educational services, public school employees and students may see a reduction in funding or services. These impacts will depend on parents' decisions to participate in the program under the bill, the spending decisions made by these parents, and any resulting shifts in school funding and cannot be known at this time.

Economic and educational outcomes by race/ethnicity. Based on a comparison between the statewide and affected populations, this analysis suggests that by providing direct payments to parents in FY 2021-22, SB 21-037 may reduce economic disparities, particularly for families with black/African American, Hispanic/Latinx, or multiracial students and nonwhite students of other races, assuming parents of eligible students choose to participate in the program. Based on the analysis above, minority students are more likely than the statewide population to be affected by the bill because they account for a larger share of students in remote/hybrid districts (48.4 percent) than they do in in-person districts (42.0 percent) or in the statewide population as a whole (47.6 percent). To the extent that economic outcomes are improved for families of minority students, this may result in improved educational outcomes for these students through increased access to private educational services.

Economic and educational outcomes by geography. Impacts on economic and education disparities by geography are less clear. Under current law, the state share of school funding varies considerably across school districts, and this bill will reflect those geographical disparities in the amount of funding that is provided to parents who participate in the program. Based on school closures during the 2020-21 school year, some affected districts are clustered in relatively economically disadvantaged regions of the state, including the southwest mountain, San Luis Valley, and southern mountain regions. To the extent that these areas experience improved economic and educational outcomes, this bill may reduce existing geographic disparities.

Employment and educational trade-offs across the public and private sector. This bill may result in offsetting impacts on public education providers and public school students in affected districts. These impacts cannot be determined prior to the implementation of the program and depend on who participates and the resulting shifts in resources and funding between public and private educational service providers. For example, private educational outcomes and opportunities may improve for some students, while public educational outcomes and opportunities may be reduced, depending on which families opt into the program and how it is implemented and funded. Likewise, employment opportunities for providers of private educational services would likely improve, while those for public educational providers might decline.

Demographics Not Analyzed

Some demographic groups have not been included in the analysis due to data limitations. Data on the relevant populations delineated by sexual orientation, gender identity, and disability were not available at the time of the analysis. Should data become available, this analysis may be updated. Data on students populations delineated by sex was available, but shares of males and females in affected and statewide populations do not differ from each other.

Data Sources and Agencies Contacted

Education

SB 21-037

Appendix A
School Districts by Learning Mode

Remote/Hybrid K-12	Remote/Hybrid K-12 (continued)	Remote/Hybrid Select Grades (continued)	In-Person (continued)	In-Person (continued)	In-Person (continued)
Academy 20	Lake County R-1	Eaton RE-2	Canon City RE-1	Kit Carson R-1	Swink 33
Adams 12 Five Star Schools	Littleton 6	Fort Morgan Re-3	Cheyenne County Re-5	La Veta Re-2	Upper Rio Grande C-7
Adams County 14	Mancos Re-6	Lamar Re-2	Colorado Springs 11	Las Animas RE-1	Valley RE-1
Adams-Arapahoe 28J	Manitou Springs 14	Lewis-Palmer 38	Cotopaxi RE-3	Liberty J-4	Vilas RE-5
Archuleta County 50 Jt	Mapleton 1	Manzanola 3J	Creede School District	Limon RE-4J	Walsh RE-1
Aspen 1	Monte Vista C-8	Mesa County Valley 51	Crowley County RE-1-J	Lone Star 101	West End RE-2
Bennett 29J	Poudre R-1	Moffat 2	De Beque 49JT	McClave Re-2	Wiggins RE-50(J)
Boulder Valley Re 2	Pueblo County 70	Moffat County RE: No 1	Deer Trail 26J	Meeker RE-1	Wiley RE-13 Jt
Centennial R-1	Rangely RE-4	Montrose County RE-1J	Delta County 50(J)	Miami/Yoder 60 JT	Woodlin R-104
Center 26 JT	Roaring Fork RE-1	Primero Reorganized 2	Dolores County RE No.2	Montezuma-Cortez RE-1	Wray RD-2
Cheraw 31	Rocky Ford R-2	Pueblo City 60	Dolores RE-4A	Mountain Valley RE 1	
Cherry Creek 5	Sheridan 2	Springfield RE-4	Eads RE-1	North Conejos RE-1J	**No Data**
Cheyenne Mountain 12	Sierra Grande R-30	Telluride R-1	East Grand 2	North Park R-1	Plainview RE-2
Cripple Creek-Victor RE-1	Silverton 1	Weld County RE-1	East Otero R-1	Norwood R-2J	Pritchett RE-3
Custer County School District C-1	South Conejos RE-10	West Grand 1-JT	Edison 54 JT	Otis R-3	
Denver County 1	St Vrain Valley RE1J	Widefield 3	Elbert 200	Ouray R-1	
District 49	Steamboat Springs RE-2	Yuma 1	Elizabeth School District	Park County RE-2	
Douglas County Re 1	Summit RE-1		Ellicott 22	Pawnee RE-12	
Durango 9-R	Thompson R2-J	**In-Person**	Frenchman RE-3	Peyton 23 Jt	
Englewood 1	Trinidad 1	Agate 300	Garfield 16	Plateau RE-5	
Estes Park R-3	Weld County School District RE-3J	Akron R-1	Garfield Re-2	Plateau Valley 50	
Fountain 8	Weld Re-8 Schools	Arickaree R-2	Genoa-Hugo C113	Platte Canyon 1	
Fowler R-4J	Weldon Valley RE-20(J)	Arriba-Flagler C-20	Granada RE-1	Platte Valley RE-7	
Fremont RE-2	Westminster Public Schools	Ault-Highland RE-9	Gunnison Watershed RE1J	Prairie RE-11	
Gilpin County RE-1	Windsor RE-4	Bethune R-5	Haxtun RE-2J	Revere School District	
Greeley 6	Woodland Park Re-2	Big Sandy 100J	Hayden RE-1	Ridgway R-2	
Hanover 28		Branson Reorganized 82	Hinsdale County RE 1	Salida R-32	
Harrison 2	**Remote/Hybrid Select Grades**	Brush RE-2(J)	Hi-Plains R-23	Sanford 6J	
Hoehne Reorganized 3	Aguilar Reorganized 6	Buena Vista R-31	Holly RE-3	Sangre De Cristo Re-22J	
Huerfano Re-1	Alamosa RE-11J	Buffalo RE-4J	Holyoke Re-1J	Sargent RE-33J	
Ignacio 11 JT	Bayfield 10 Jt-R	Burlington RE-6J	Idalia RJ-3	School District 27J	
Jefferson County R-1	Briggsdale RE-10	Byers 32J	Julesburg Re-1	South Routt RE 3	
Johnstown-Milliken RE-5J	Clear Creek RE-1	Calhan RJ-1	Karval RE-23	Strasburg 31J	
Kiowa C-2	Eagle County RE 50	Campo RE-6	Kim Reorganized 88	Stratton R-4	

Source: Legislative Council Staff calculations based on Colorado Department of Education data.

Appendix B
Population Data Used in Analysis

At-Risk Students in Colorado School Districts, FY 2021-22

At-Risk Students	Remote/Hybrid		In-Person		All Districts and Learning Modes	
	Population	Share	Population	Share	Population	Share
At-Risk	264,027	34.9%	43,367	39.9%	307,452	35.9%
Not At-Risk	493,305	65.1%	65,322	60.1%	548,867	64.1%
TOTAL	**757,332**	**100.0%**	**108,689**	**100.0%**	**856,319**	**100.0%**

Sources: Legislative Council Staff and Colorado Department of Education.

Students by Race/Ethnicity in Colorado School Districts, FY 2020-21

Race/Ethnicity	Remote/Hybrid		In-Person		All Districts and Learning Modes	
	Population	Share	Population	Share	Population	Share
White	387,539	51.6%	61,106	58.0%	448,734	52.4%
Black or African American	36,175	4.8%	3,184	3.0%	39,360	4.6%
Hispanic or Latino	258,261	34.4%	34,378	32.6%	292,653	34.2%
Other or Multiracial*	68,880	9.2%	6,692	6.4%	75,572	8.8%
TOTAL	**750,855**	**100.0%**	**105,360**	100.0%	**856,319**	**100.0%**

Sources: Legislative Council Staff and Colorado Department of Education.
** "Other" races include American Indian or Alaskan Native, Asian, and Native Hawaiian or Other Pacific Islander.*

OLR RESEARCH REPORT

May 5, 2009 2009-R-0184

DRUG ZONE MAPS FOR SHB 6581 RACIAL AND ETHNIC IMPACT STATEMENT

By: Christopher Reinhart, Senior Attorney
Daniel Duffy, Principal Analyst

The Judiciary Committee voted to require a Racial and Ethnic Impact Statement for sHB 6581 (File 732), "An Act Concerning the Enhanced Penalty for the Sale or Possession of Drugs Near Schools, Day Care Centers, and Public Housing Projects." This report provides information in addition to what appears in the statement on the file.

SUMMARY

sHB 6581 (File 732), "An Act Concerning the Enhanced Penalty for the Sale or Possession of Drugs Near Schools, Day Care Centers, and Public Housing Projects," makes a number of changes to the laws that enhance the penalties for drug activity near schools, day care centers, and public housing projects. It:

1. allows the prison term imposed under these laws to be suspended under any circumstances, and not just the limited ones set by current law and

2. limits the scope of these laws by (a) reducing the size of the zones around the locations from 1,500 to 200 feet and (b) restricting the time of day when illegal activity occurring near schools and day care centers qualifies for the enhanced penalty.

Mary M. Janicki, Director
Phone (860) 240-8400
FAX (860) 240-8881
http://www.cga.ct.gov/olr

Connecticut General Assembly
Office of Legislative Research

Room 5300
Legislative Office Building
Hartford, CT 06106-1591
Olr@cga.ct.gov

The bill specifies that the zones are measured from the perimeter of the property.

In 2005, we created maps showing how the current drug zone laws affect specific towns (see OLR Reports 2001-R-0330 and 2005-R-0460 and the Program Review and Investigations Committee report *Mandatory Minimum Sentences*, 2005). We were not able to update these maps to show the affect of the bill's changes on individual towns within the time frame for producing the racial and ethnic impact statement.

This report provides maps for four towns in Connecticut to show how the bill would affect different types of towns in the state: Danbury, Durham, Madison, and New Haven. For each town, we include a map showing the 1,500-foot drug zones required by current law and a map showing the drug zones reduced to 200 feet as required by the bill.

MAPS

In 2005, we obtained data on schools, day care centers, and public housing to create drug zone maps in 12 towns. We obtained information from the (1) Department of Public Health for day care centers; (2) Department of Education for schools; and (3) Department of Economic and Community Development for public housing projects.

Using the same data, we chose four of these 12 towns to show the bill's impact. The four towns we selected show the bill's impact on towns of different sizes in terms of population and geography:

1. Danbury (population 79,226, 44.3 square miles),

2. Durham (population 7,397, 23.6 square miles),

3. Madison (population 18,793, 36.8 square miles), and

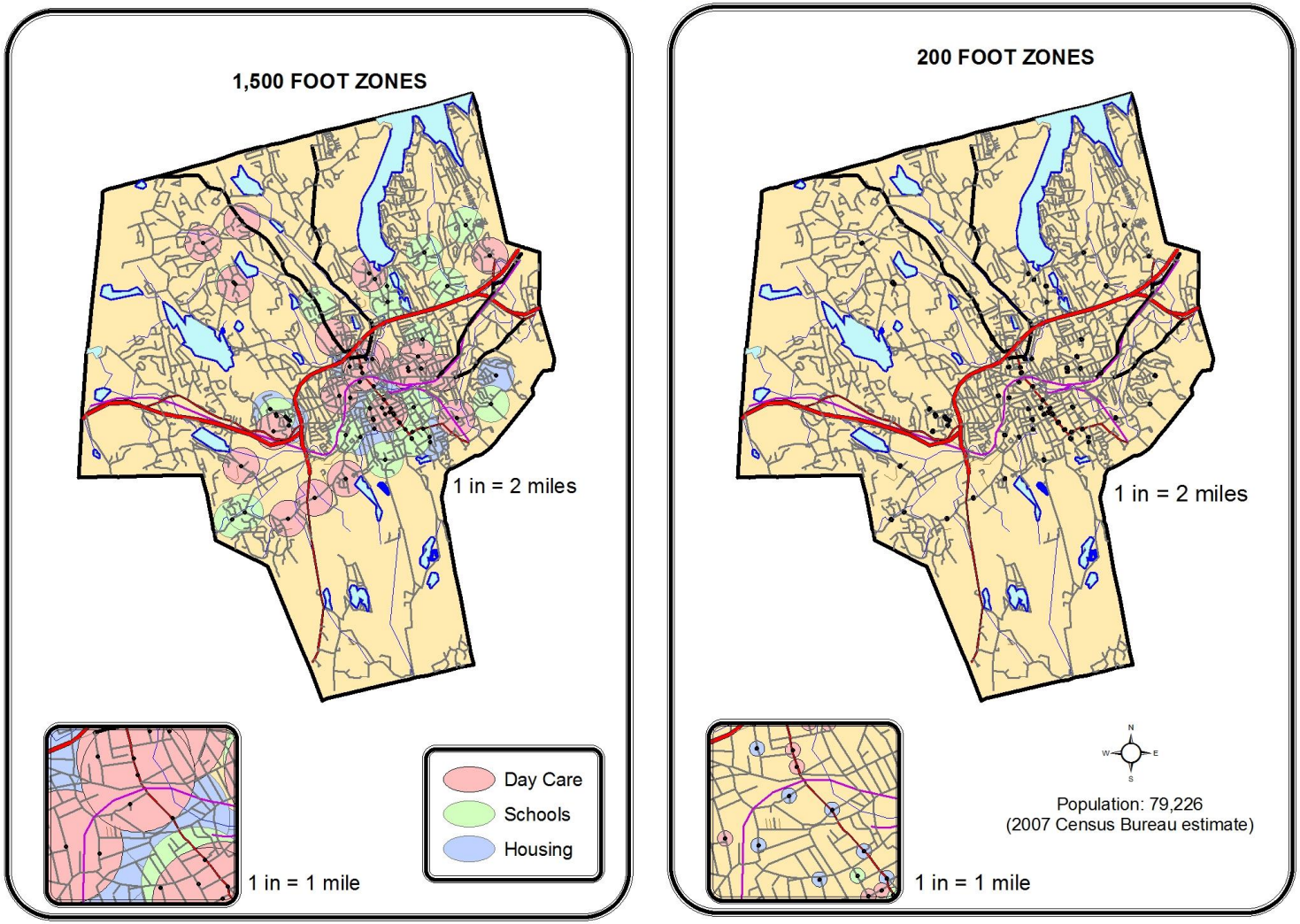
4. New Haven (population 123,932, 18.9 square miles).

Each map is drawn to the same scale (one inch=two miles), so that the geographic size of the towns can be compared. Each map also shows a detailed close-up of a section of town to show the impact of the drug zones on a particular area (using a scale of one inch=one mile).

Current law appears to measure the zones from the property boundaries and the bill specifies that the zones are measured from the perimeter of the property. We do not have access to files showing property boundaries. Thus, the maps show the radius from the center of the property instead of from its property lines and underestimate the areas within which enhanced penalties apply.

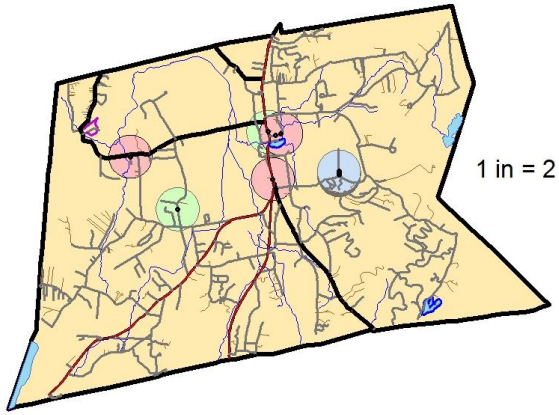
CR:DD:ak

DANBURY

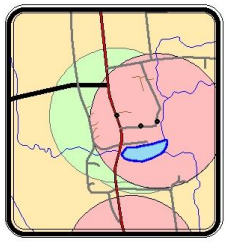

1,500 FOOT ZONES
1 in = 2 miles
1 in = 1 mile
Day Care
Schools
Housing
200 FOOT ZONES
1 in = 2 miles
1 in = 1 mile
Population: 79,226
(2007 Census Bureau estimate)

DURHAM

1,500 FOOT ZONES



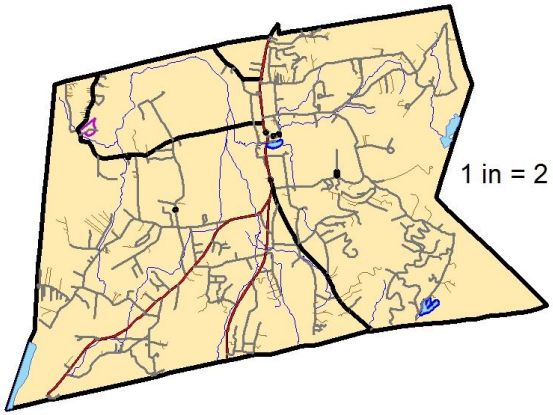
1 in = 2 miles



1 in = 1 mile

Day Care
Schools
Housing

200 FOOT ZONES

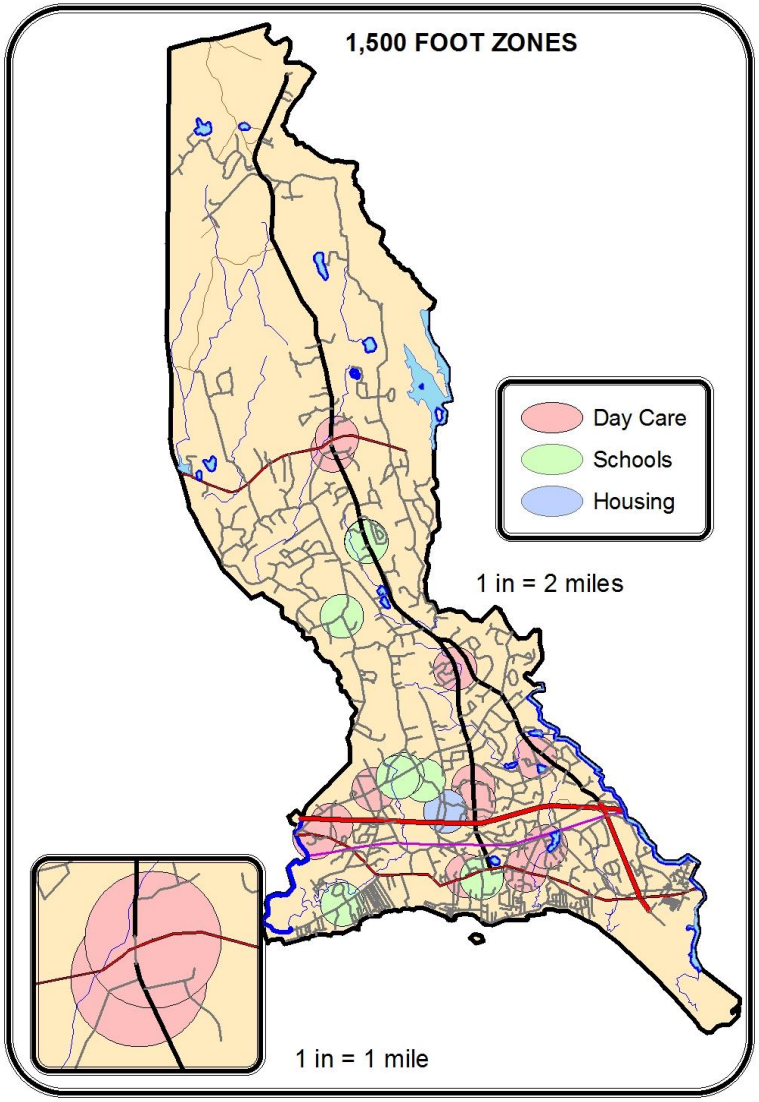


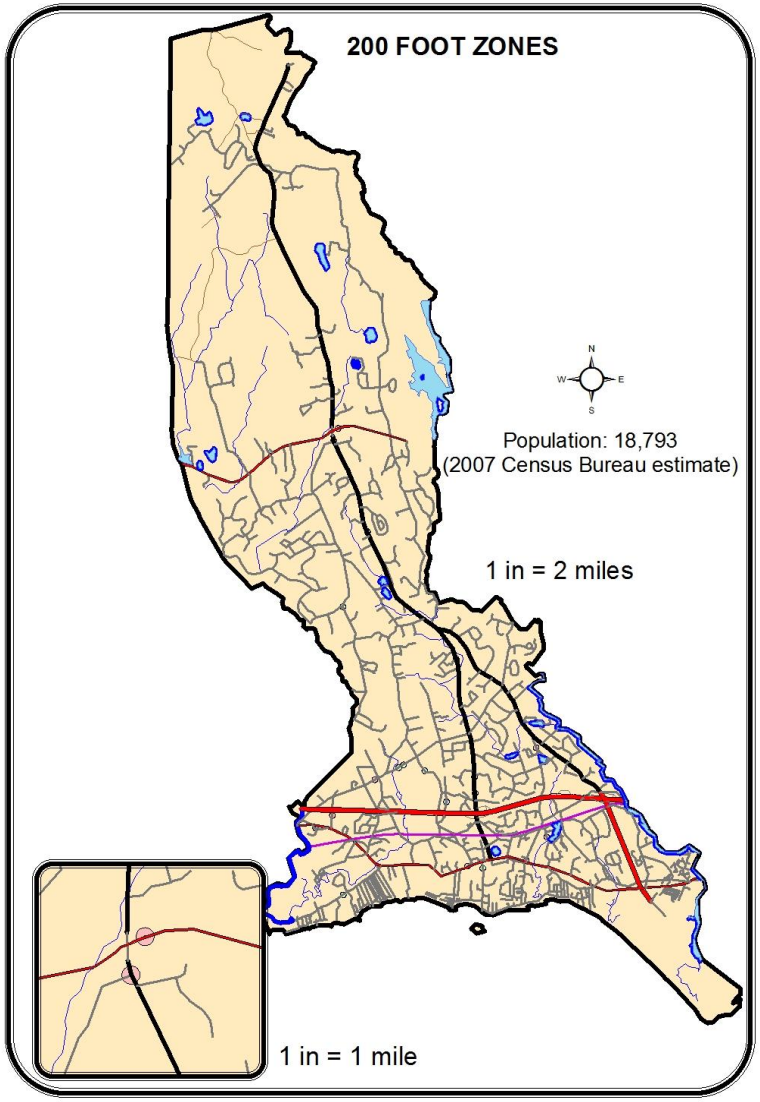
1 in = 2 miles

1 in = 1 mile

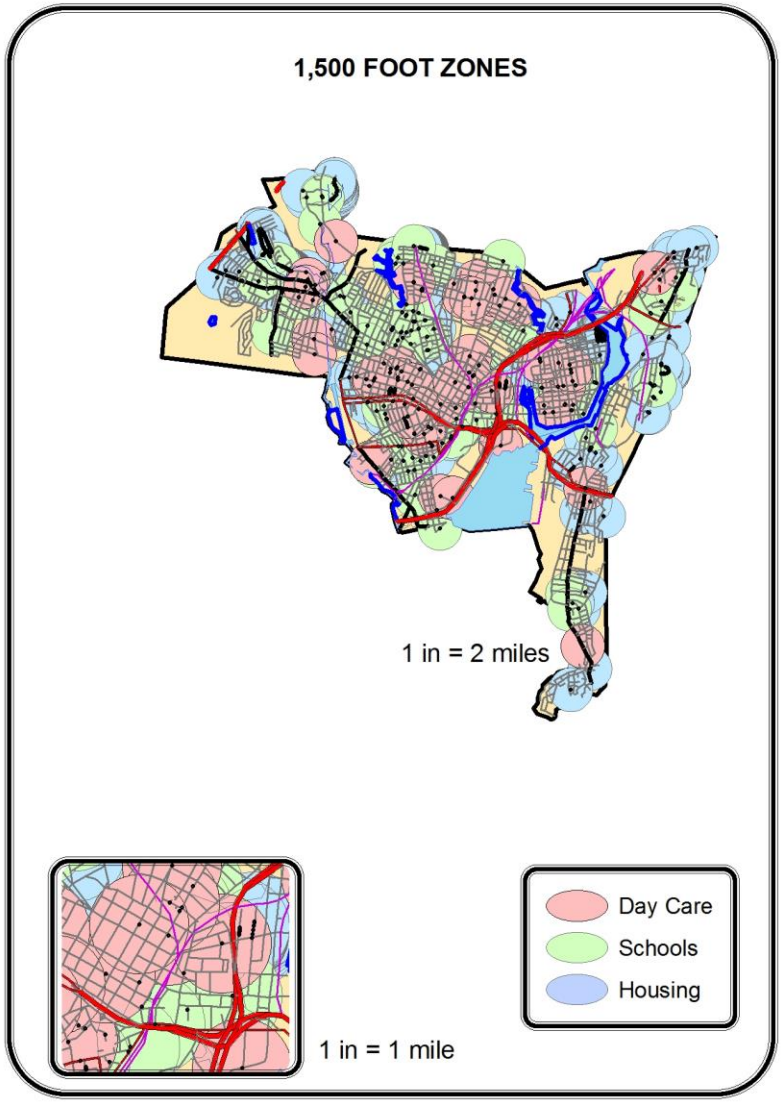
Population: 7,397
(2007 Census Bureau estimate)

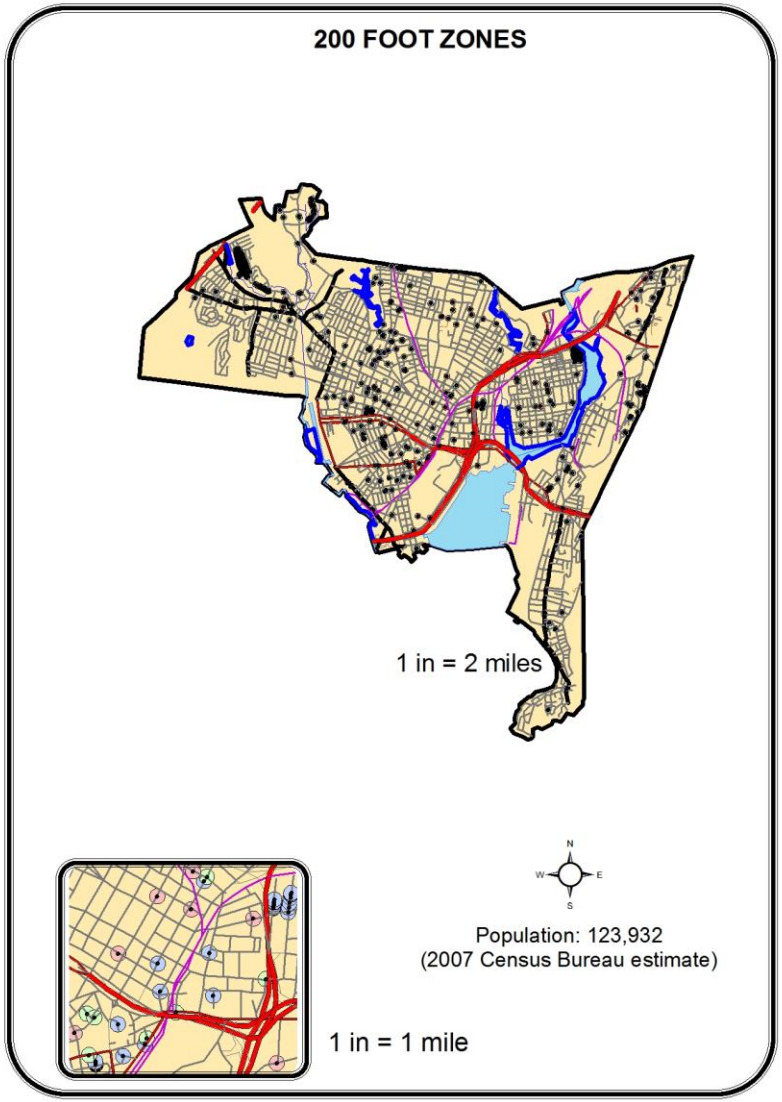
MADISON


1,500 FOOT ZONES
Day Care
Schools
Housing
1 in = 2 miles
1 in = 1 mile


200 FOOT ZONES
Population: 18,793
(2007 Census Bureau estimate)
1 in = 2 miles
1 in = 1 mile

NEW HAVEN


1,500 FOOT ZONES
1 in = 2 miles
1 in = 1 mile
Day Care
Schools
Housing


200 FOOT ZONES
1 in = 2 miles
1 in = 1 mile
N
W
E
S
Population: 123,932
(2007 Census Bureau estimate)