

COMMITTEE ON LEGISLATIVE RESEARCH  
OVERSIGHT DIVISION

**FISCAL NOTE**

L.R. No.: 1332-01  
Bill No.: HB 739  
Subject: Elementary and Secondary Education; Boards, Commissions, Committees, and Councils; Sunshine Law  
Type: Original  
Date: February 15, 2019

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Bill Summary: This proposal modifies provisions relating to preventing sexual misconduct in schools.

**FISCAL SUMMARY**

<b>ESTIMATED NET EFFECT ON GENERAL REVENUE FUND</b>			
FUND AFFECTED	FY 2020	FY 2021	FY 2022
General Revenue	\$0	Less than (\$100,000)	\$0
<b>Total Estimated Net Effect on General Revenue</b>	<b>\$0</b>	<b>Less than (\$100,000)</b>	<b>\$0</b>

<b>ESTIMATED NET EFFECT ON OTHER STATE FUNDS</b>			
FUND AFFECTED	FY 2020	FY 2021	FY 2022
<b>Total Estimated Net Effect on <u>Other</u> State Funds</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>

Numbers within parentheses: ( ) indicate costs or losses.

This fiscal note contains 5 pages.

<b>ESTIMATED NET EFFECT ON FEDERAL FUNDS</b>			
FUND AFFECTED	FY 2020	FY 2021	FY 2022
<b>Total Estimated Net Effect on <u>All</u> Federal Funds</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>

<b>ESTIMATED NET EFFECT ON FULL TIME EQUIVALENT (FTE)</b>			
FUND AFFECTED	FY 2020	FY 2021	FY 2022
<b>Total Estimated Net Effect on FTE</b>	<b>0</b>	<b>0</b>	<b>0</b>

☐ Estimated Net Effect (expenditures or reduced revenues) expected to exceed \$100,000 in any of the three fiscal years after implementation of the act.

<b>ESTIMATED NET EFFECT ON LOCAL FUNDS</b>			
FUND AFFECTED	FY 2020	FY 2021	FY 2022
<b>Local Government</b>	<b>(Unknown)</b>	<b>(Unknown)</b>	<b>(Unknown)</b>

## **FISCAL ANALYSIS**

### **ASSUMPTION**

Officials from the **Department of Elementary and Secondary Education (DESE)** assume this proposal will result in insignificant cost (less than \$100,000) for the department.

**Oversight** assumes this proposal requires DESE to develop training materials. Therefore, Oversight will show a cost to DESE of less than \$100,000.

Officials from **Wellsville-Middletown R-1 School District** state they are concerned with the potential cost of the proposal.

Officials from **Springfield Public Schools** assume this will cost \$130,000 for staff for training and human resource processes.

**Oversight** assumes this proposal requires school districts to provide sexual harassment training to school board members beginning in FY 2020 and to students in all grades not lower than the sixth grade beginning in FY 2021. Therefore, Oversight will show an unknown cost to schools districts beginning in FY 2020.

Officials from the **Office of the Secretary of State (SOS)** state many bills considered by the General Assembly include provisions allowing or requiring agencies to submit rules and regulations to implement the act. The SOS is provided with core funding to handle a certain amount of normal activity resulting from each year's legislative session. The fiscal impact for this fiscal note to the SOS for Administrative Rules is less than \$5,000. The SOS recognizes that this is a small amount and does not expect that additional funding would be required to meet these costs. However, the SOS also recognizes that many such bills may be passed by the General Assembly in a given year and that collectively the costs may be in excess of what the office can sustain with the core budget. Therefore, the SOS reserves the right to request funding for the cost of supporting administrative rules requirements should the need arise based on a review of the finally approved bills signed by the governor.

**Oversight** assumes the SOS could absorb the costs of printing and distributing regulations related to this proposal. If multiple bills pass which require the printing and distribution of regulations at substantial costs, the SOS could require additional resources.

Officials from the **Joint Committee on Administrative Rules (JCAR)** assume this proposal is not anticipated to cause a fiscal impact beyond its current appropriation.

ASSUMPTION (continued)

**Oversight** assumes JCAR will be able to administer any rules resulting from this proposal with existing resources.

<u>FISCAL IMPACT - State Government</u>	FY 2020 (10 Mo.)	FY 2021	FY 2022
<b>GENERAL REVENUE</b>			
<u>Cost</u> - DESE - develop training materials	<u>\$0</u>	Less than <u>(\$100,000)</u>	<u>\$0</u>
<b>ESTIMATED NET EFFECT ON GENERAL REVENUE</b>	<b><u>\$0</u></b>	<b>Less than <u>(\$100,000)</u></b>	<b><u>\$0</u></b>

<u>FISCAL IMPACT - Local Government</u>	FY 2020 (10 Mo.)	FY 2021	FY 2022
<b>SCHOOL DISTRICTS</b>			
<u>Cost</u> - sexual harassment training for school board members and students	<u>(Unknown)</u>	<u>(Unknown)</u>	<u>(Unknown)</u>
<b>ESTIMATED NET EFFECT ON SCHOOL DISTRICTS</b>	<b><u>(Unknown)</u></b>	<b><u>(Unknown)</u></b>	<b><u>(Unknown)</u></b>

FISCAL IMPACT - Small Business

No direct fiscal impact to small businesses would be expected as a result of this proposal.

FISCAL DESCRIPTION

This bill requires full disclosure between school districts about a former employee when requested, specifically regarding any confirmed violation of a board policy related to abusive behavior toward a student. Additionally, any school, before offering employment, must contact the district or charter school that previously employed the prospective hire and request information (Section 162.068, RSMo).

FISCAL DESCRIPTION (continued)

The bill increases the training hours for initial school board members from 16 to 18 hours and 30 minutes, and further requires that the training include two hours and 30 minutes of sexual harassment training. Additionally, returning board members must take at least one hour of refresher training annually (Section 162.203).

This bill defines "sexual harassment" and requires that schools provide age appropriate sexual harassment training to students in grades six and up. The training will be developed by the Department of Elementary and Secondary Education (Section 170.045).

The bill modifies the Open Meetings and Records Law, commonly known as the Sunshine Law, to allow for sharing of records between schools for employees, as specified in the bill (Section 610.021)

This legislation is not federally mandated, would not duplicate any other program and would not require additional capital improvements or rental space.

SOURCES OF INFORMATION

Department of Elementary and Secondary Education  
Joint Committee on Administrative Rules  
Office of the Secretary of State  
Wellsville-Middletown R-1 School District  
Springfield Public Schools



Kyle Rieman  
Director  
February 15, 2019

Ross Strobe  
Assistant Director  
February 15, 2019