

COMMITTEE ON LEGISLATIVE RESEARCH
OVERSIGHT DIVISION

FISCAL NOTE

L.R. No.: 2034-03
Bill No.: HCS for HB 1023
Subject: Elementary and Secondary Education
Type: Original
Date: April 17, 2019

Bill Summary: This proposal modifies provisions relating to seclusion and restraint policies in public schools.

FISCAL SUMMARY

ESTIMATED NET EFFECT ON GENERAL REVENUE FUND			
FUND AFFECTED	FY 2020	FY 2021	FY 2022
General Revenue	(\$20,000)	\$0	\$0
Total Estimated Net Effect on General Revenue	(\$20,000)	\$0	\$0

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

Numbers within parentheses: () indicate costs or losses.

This fiscal note contains 5 pages.

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

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

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

ESTIMATED NET EFFECT ON LOCAL FUNDS			
FUND AFFECTED	FY 2020	FY 2021	FY 2022
Local Government	\$0	\$0	\$0

FISCAL ANALYSIS

ASSUMPTION

Officials from **Department of Elementary and Secondary Education (DESE)** estimate a one-time expense of \$20,000 for the addition of fields to the Missouri School Improvement Program (MSIP) system for the collection of data on seclusion and restraint.

Oversight will show a one-time cost for programming as estimated by DESE in FY 2020.

Based on information provided by DESE and from the [Civil Rights Data Collection](#) from the Office for Civil Rights, **Oversight** notes the following:

2013-2014 Missouri Estimates	Number of Instances	Number of Students	Number of students as a percent of 2013-2014 Enrollment (887,033)
Seclusion	6,318	2,347	0.26%
Mechanical Restraint	175	165	0.02%
Physical Restraint	4,849	1,932	0.22%
Total	11,342	4,444	0.50%

In response to a previous version, HB 1023 (2019), officials from the **Springfield Public Schools** assumed this proposal would have an unknown fiscal impact on the district.

Officials from the **Wellsville-Middletown R-1 School District** assume the proposal will have no fiscal impact on their organization.

Oversight assumes this version of the proposal removes provisions requiring school districts to hold hearings on filed complaints. Oversight will not show a fiscal impact to school districts.

Oversight received a limited number of responses from school districts related to the fiscal impact of this proposal. Oversight has presented this fiscal note on the best current information available. Upon the receipt of additional responses, Oversight will review to determine if an updated fiscal note should be prepared and seek the necessary approval to publish a new fiscal note.

ASSUMPTION (continued)

Oversight only reflects the responses that we have received from state agencies and political subdivisions; however, other school districts were requested to respond to this proposed legislation but did not. For a general listing of political subdivisions included in our database, please refer to www.legislativeoversight.mo.gov.

<u>FISCAL IMPACT - State Government</u>	FY 2020 (10 Mo.)	FY 2021	FY 2022
GENERAL REVENUE			
<u>Cost</u> - DESE - programming cost	<u>(\$20,000)</u>	<u>\$0</u>	<u>\$0</u>
ESTIMATED NET EFFECT ON GENERAL REVENUE	<u>(\$20,000)</u>	<u>\$0</u>	<u>\$0</u>
 <u>FISCAL IMPACT - Local Government</u>	 FY 2020 (10 Mo.)	 FY 2021	 FY 2022
	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>

FISCAL IMPACT - Small Business

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

FISCAL DESCRIPTION

This bill defines "restraint" and "seclusion" and requires school districts to include in policy a prohibition on the use of restraint or seclusion, for any purpose other than the health and safety of students, teachers, and staff members. The bill requires that before July 1, 2020 each school district policy shall include reporting requirements for any occurrence of restraint or seclusion as outlined in the bill. The reporting requirements include parental notification, right to review a report and file a complaint with the board of education of the school district and/or the department of elementary and secondary education.

FISCAL DESCRIPTION (continued)

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
Springfield Public Schools
Wellsville-Middletown R-1 School District



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Director
April 17, 2019

Ross Strobe
Assistant Director
April 17, 2019