

COMMITTEE ON LEGISLATIVE RESEARCH
OVERSIGHT DIVISION

FISCAL NOTE

L.R. No.: 4155-01
Bill No.: HB 1568
Subject: Education, Elementary and Secondary; Department of Elementary and Secondary Education
Type: Original
Date: January 10, 2020

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 2021	FY 2022	FY 2023
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 2021	FY 2022	FY 2023
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 2021	FY 2022	FY 2023
Total Estimated Net Effect on <u>All</u> Federal Funds	\$0	\$0	\$0

ESTIMATED NET EFFECT ON FULL TIME EQUIVALENT (FTE)			
FUND AFFECTED	FY 2021	FY 2022	FY 2023
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 2021	FY 2022	FY 2023
Local Government	\$0	\$0	\$0

FISCAL ANALYSIS

ASSUMPTION

The **Department of Elementary and Secondary Education (DESE)** estimates it will cost \$20,000 to add the necessary fields to the MSIP system to collect data on seclusion and restraint.

Oversight shows a one-time cost for programming according to DESE's estimation.

In response to a similar proposal, HCS for HB 1023 (2019), the **Wellsville-Middletown R-1 School District** stated the proposal would have no fiscal impact on their organization.

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

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%

Oversight received a limited number of responses from school districts related to the fiscal impact of this proposal (none this year and only two for similar proposals in 2019). 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.

Oversight only reflects the responses that we have received from state agencies and political subdivisions; however, school districts were requested to respond to this proposed legislation but did not. A general listing of political subdivisions included in our database is available upon request.

<u>FISCAL IMPACT - State Government</u>	FY 2021 (10 Mo.)	FY 2022	FY 2023
GENERAL REVENUE			
<u>Cost - DESE - programming cost</u>	<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 2021 (10 Mo.)	 FY 2022	 FY 2023
	<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 proposal defines the legal terms of art “restraint” and “seclusion” and requires school districts to adopt a policy banning restraint or seclusion, for any purpose other than the health and safety of students, teachers, and staff members. It also requires schools to write a report each time seclusion or restraint is used, and notify the parents of the occurrence. Also, DESE must develop recommendations for collecting data and reporting.

The proposed legislation appears to have no direct fiscal impact.

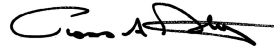
This legislation is not federally mandated, would not duplicate any other program and would not require additional capital improvements or rental space.

SOURCES OF INFORMATION

Department of Elementary and Secondary Education
Wellsville-Middletown R-1 School District
Springfield Public Schools



Julie Morff
Director
January 10, 2020



Ross Strobe
Assistant Director
January 10, 2020