

COMMITTEE ON LEGISLATIVE RESEARCH
OVERSIGHT DIVISION

FISCAL NOTE

L.R. No.: 4155-03
Bill No.: HCS for HB 1568
Subject: Education, Elementary and Secondary; Department of Elementary and Secondary Education
Type: Original
Date: January 30, 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 6 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	(Unknown, Could exceed \$7,423,00)	(Unknown, Could exceed \$7,423,00)	(Unknown, Could exceed \$7,423,00)

FISCAL ANALYSIS

ASSUMPTION

Officials from 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.

Officials from the **Forsyth R-III Schools** assume they would need to train 180 people at a cost of approximately \$36,000.

Officials from the **Springfield Public Schools (SPS)** assume the following:

2000 certificated staff x average hourly wage + taxation and retirement (35 dollars per hour) x2 hours = \$120,000

1800 non certified staff x average hourly wage + taxation and retirement (20 dollars per hour) x2 hours = \$72,000

Total SPS cost for 2 hours of mandatory restraint and seclusion training = \$192,000

Officials from the **North Kansas City Schools** state the district has more than 21,000 students and is the third largest school system in the state. We have nearly 3500 employees of which approximately 2000 are classroom teachers, building administrators and para professionals. Our estimates would be \$1200 per employee to train. If we had to provide training on seclusion/restraint as the bill suggests it would cost us approximately \$2.4 million.

In addition, if we had to record as the bill requires, approximately 35 of our buildings would need camera systems costing about \$15,000 per building. Total cost would be \$525,000.

Officials from the **Smithville School District** uses MANDT. Including substitutes, we have 420 employees who would need to be trained. The two-day training is \$185 for 10 employees. To train 42 groups of employees at \$185 per group would cost \$7,770 (42 x \$185 = \$7770). The training manuals are \$30 per person which would cost \$12,600 (420 x \$30 = \$12600). That is \$20,370 for the training.

ASSUMPTION (continued)

Additionally, employees would need to be paid two additional days of work at \$49,500 per day totaling \$99,000. That does include retirement contributions (14.5% for certified employees and 6.86% for non-certified) or social security and Medicare.

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 assumes schools districts could incur costs for all personnel to complete mandatory training in the specific seclusion, isolation, and restraint techniques uses of the district. Based on the responses from the school districts, the cost per person ranged from approximately \$50 for two hours per person to \$685 per person. Based on information from DESE, the total number of administrators and teachers employed by school districts is 74,230. If half of the 74,230 teachers and administrators were required to complete training at \$200 per person, the cost is estimated at \$7,423,000 ($\$200 * (74,230 * .50)$).

Oversight assumes the cost of training could varying depending on the type and duration of training as well as the reimbursement cost for personnel time. In addition, the number provided by DESE only includes administrators and teachers and did not appear to include support staff or other personnel. Oversight will show an unknown cost to school districts for this provision that could exceed \$7,423,000.

Oversight assumes there could be costs to install equipment for video and audio recordings of any incident involving seclusion or isolation. Oversight will also show an unknown impact to school districts to install video and audio equipment.

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

ASSUMPTION (continued)

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, other 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
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GENERAL REVENUE

<u>Cost</u> - DESE - programming cost	<u>(\$20,000)</u>	<u>\$0</u>	<u>\$0</u>
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ESTIMATED NET EFFECT ON GENERAL REVENUE	<u>(\$20,000)</u>	<u>\$0</u>	<u>\$0</u>
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<u>FISCAL IMPACT - Local Government</u>	FY 2021 (10 Mo.)	FY 2022	FY 2023
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**SCHOOL DISTRICTS & CHARTER
SCHOOLS**

<u>Cost</u> - training costs for all personnel on seclusion, isolation, and restraint techniques p. 4	(Unknown, Could exceed \$7,423,00)	(Unknown, Could exceed \$7,423,00)	(Unknown, Could exceed \$7,423,00)
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<u>Cost</u> - video and audio equipment installation to record seclusion, isolation, and restraint incidents p, 4	<u>(Unknown)</u>	<u>(Unknown)</u>	<u>(Unknown)</u>
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ESTIMATED NET EFFECT ON SCHOOL DISTRICTS & CHARTER SCHOOLS	(Unknown, Could exceed <u>\$7,423,00</u>)	(Unknown, Could exceed <u>\$7,423,00</u>)	(Unknown, Could exceed <u>\$7,423,00</u>)
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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. And it requires school districts to adopt a policy that requires all personnel to complete mandatory training. 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.

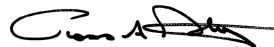
This legislation is not federally mandated, would not duplicate any other program and would not require additional capital improvements or rental space.

SOURCES OF INFORMATION

Department of Elementary and Secondary Education
Springfield Public Schools
Forsyth R-III Schools
North Kansas City Schools
Smithville School District



Julie Morff
Director
January 30, 2020



Ross Strobe
Assistant Director
January 30, 2020