

COMMITTEE ON LEGISLATIVE RESEARCH
OVERSIGHT DIVISION

FISCAL NOTE

L.R. No.: 4155-05
Bill No.: Perfected HCS #2 for HB 1568
Subject: Education, Elementary and Secondary; Department of Elementary and Secondary Education
Type: Original
Date: March 4, 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	(\$62,400)	(\$5,000)	(\$5,000)
Total Estimated Net Effect on General Revenue	(\$62,400)	(\$5,000)	(\$5,000)

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 4 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 to (Unknown)	\$0 to (Unknown)	\$0 to (Unknown)

FISCAL ANALYSIS

ASSUMPTION

Officials from the **Department of Elementary and Secondary Education (DESE)** estimate a one-time expense of \$62,400 and yearly maintenance of \$5,000 thereafter to securely collect and compile the data. The initial \$62,400 cost includes \$38,400 in development, and \$24,000 project management costs.

Officials from the **Wellsville-Middletown R-I School District** state as they don't currently use physical restraints or seclusion in their school, there wouldn't be a substantial fiscal impact from this bill.

Oversight shows technology costs according to DESE's estimation.

Oversight assumes schools districts already using restraint have policies requiring training for employees performing such duties, and will show a \$0 to (Unknown) direct fiscal impact.

Oversight received few 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 of the chairperson of the Joint Committee on Legislative Research 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
GENERAL REVENUE			
<u>Cost - DESE - IT expenses</u>	<u>(\$62,400)</u>	<u>(\$5,000)</u>	<u>(\$5,000)</u>
ESTIMATED NET EFFECT ON GENERAL REVENUE	<u>(\$62,400)</u>	<u>(\$5,000)</u>	<u>(\$5,000)</u>

<u>FISCAL IMPACT - Local Government</u>	FY 2021 (10 Mo.)	FY 2022	FY 2023
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SCHOOL DISTRICTS

<u>Cost</u> - School Districts - to comply with the provisions in the bill	\$0 to <u>(Unknown)</u>	\$0 to <u>(Unknown)</u>	\$0 to <u>(Unknown)</u>
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ESTIMATED NET EFFECT ON SCHOOL DISTRICTS	\$0 to <u>(Unknown)</u>	\$0 to <u>(Unknown)</u>	\$0 to <u>(Unknown)</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 personnel using seclusion or restraint to complete 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 and maintain a database to track such occurrences.

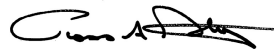
This legislation is not federally mandated, would not duplicate any other program and would not require additional capital improvements or rental space.

SOURCES OF INFORMATION

Department of Elementary and Secondary Education
Wellsville- Middletown R-I School District



Julie Morff
Director
March 4, 2020



Ross Strobe
Assistant Director
March 4, 2020