

COMMITTEE ON LEGISLATIVE RESEARCH
OVERSIGHT DIVISION

FISCAL NOTE

L.R. No.: 4001H.01I
 Bill No.: HB 1663
 Subject: Education, Elementary and Secondary; Department of Elementary and Secondary Education; Disabilities
 Type: Original
 Date: January 11, 2024

Bill Summary: This proposal establishes written parental consent requirements for Individualized Education Programs (IEPS).

FISCAL SUMMARY

ESTIMATED NET EFFECT ON GENERAL REVENUE FUND			
FUND AFFECTED	FY 2025	FY 2026	FY 2027
General Revenue	Up to (\$35,000)	Up to (\$35,000)	Up to (\$35,000)
Total Estimated Net Effect on General Revenue	Up to (\$35,000)	Up to (\$35,000)	Up to (\$35,000)

ESTIMATED NET EFFECT ON OTHER STATE FUNDS			
FUND AFFECTED	FY 2025	FY 2026	FY 2027
Total Estimated Net Effect on <u>Other</u> State Funds	\$0	\$0	\$0

Numbers within parentheses: () indicate costs or losses.

ESTIMATED NET EFFECT ON FEDERAL FUNDS			
FUND AFFECTED	FY 2025	FY 2026	FY 2027
Total Estimated Net Effect on <u>All</u> Federal Funds	\$0	\$0	\$0

ESTIMATED NET EFFECT ON FULL TIME EQUIVALENT (FTE)			
FUND AFFECTED	FY 2025	FY 2026	FY 2027
Total Estimated Net Effect on FTE	0	0	0

- Estimated Net Effect (expenditures or reduced revenues) expected to exceed \$250,000 in any of the three fiscal years after implementation of the act or at full implementation of the act.
- Estimated Net Effect (savings or increased revenues) expected to exceed \$250,000 in any of the three fiscal years after implementation of the act or at full implementation of the act.

ESTIMATED NET EFFECT ON LOCAL FUNDS			
FUND AFFECTED	FY 2025	FY 2026	FY 2027
Local Government	\$0 to (Unknown)	\$0 to (Unknown)	\$0 to (Unknown)

FISCAL ANALYSIS

ASSUMPTION

Section 161.854 – Parental Consent Procedures

Officials from the **Department of Elementary and Secondary Education (DESE)** state they would be required to develop and have translated documents for school districts to use with parents. DESE assumes translation of documents would be approximately \$1,000 per language with an estimated 35 languages required. This would total \$35,000. DESE is requesting these funds annually as any changes/updates to forms would require translation.

Upon further inquiry, **DESE** stated the Office of Special Education with DESE already provides for the publication of a document called the Procedural Safeguards, which must be provided to all families of children with disabilities served in public and charter schools under the Individuals with Disabilities Education Act. They currently translate that document into 35 different languages based on constituents' needs in Missouri. When looking at the cost per document for translation of those languages most recently translated, the range was anywhere from \$200 to nearly \$1,000 each based on the availability of a translator for that language and the contractor to provide the translation. **Oversight** has no way to determine how many documents will need to be translated or into how many languages. Therefore, Oversight will reflect a cost of up to DESE's \$35,000 estimate.

In response to a similar proposal, HB 1163 (2023), **DESE** also stated there could potentially be hearing costs. DESE would not expect more than 5-10 hearings in a year. The cost for hearings was estimated at \$5,665.

Oversight notes that DESE has stated the estimated cost for hearings can be absorbed with existing resources.

Officials from **Office of Administration - Administrative Hearing Commission** assume the proposal will have no fiscal impact on their organization. **Oversight** does not have any information to the contrary. Therefore, Oversight will reflect a zero impact in the fiscal note.

Oversight assumes there could be costs for school districts to implement parental consent procedures in this proposal.

Oversight did not receive any 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.

Oversight only reflects the responses received from state agencies and political subdivisions; however, school districts were requested to respond to this proposed legislation but did not. A listing of political subdivisions included in the Missouri Legislative Information System (MOLIS) database is available upon request.

<u>FISCAL IMPACT – State Government</u>	FY 2025 (10 Mo.)	FY 2026	FY 2027
GENERAL REVENUE			
<u>Costs</u> – translation services - §161.854	Up to (\$35,000)	Up to (\$35,000)	Up to (\$35,000)
ESTIMATED NET EFFECT ON GENERAL REVENUE	Up to (\$35,000)	Up to (\$35,000)	Up to (\$35,000)

<u>FISCAL IMPACT – Local Government</u>	FY 2025 (10 Mo.)	FY 2026	FY 2027
LOCAL EDUCATION AGENCIES			
<u>Costs</u> – to implement parental consent procedures - §161.854	\$0 or (Unknown)	\$0 or (Unknown)	\$0 or (Unknown)
ESTIMATED NET EFFECT ON LOCAL EDUCATION AGENCIES	\$0 or (Unknown)	\$0 or (Unknown)	\$0 or (Unknown)

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 public schools that serve students with an individualized education program (IEP) to implement parental consent procedures. Written parental consent shall be obtained and maintained for initial placement, annual placement, or other revisions to a student's IEP as outlined in the bill.

If the parents and local educational agency (LEA) only reach an agreement on certain IEP services or interim placement, the child's new IEP shall only be implemented in the areas of

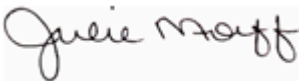
agreement with the current services remaining unchanged unless the local education agency follows procedures set forth in the bill which include a due process complaint and hearing.

If a child is identified as eligible for special education services, the parents have the right to visit any program proposed for their child. The Department of Elementary and Secondary Education shall adopt a parental consent form, as described in the bill, that each school district shall provide to parents, and districts may not proceed with implementation of a student's IEP without the parental consent form completed except as provided in the bill.

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
Office of Administration - Administrative Hearing Commission



Julie Morff
Director
January 11, 2024



Ross Strobe
Assistant Director
January 11, 2024