

COMMITTEE ON LEGISLATIVE RESEARCH  
OVERSIGHT DIVISION

**FISCAL NOTE**

L.R. No.: 1543H.01I  
 Bill No.: HB 477  
 Subject: Education, Elementary and Secondary; Department of Elementary and Secondary  
 Education; Disabilities  
 Type: Original  
 Date: January 21, 2025

Bill Summary: This proposal establishes written parental consent requirements for individualized education programs (IEPs).

**FISCAL SUMMARY**

<b>ESTIMATED NET EFFECT ON GENERAL REVENUE FUND</b>			
FUND AFFECTED	FY 2026	FY 2027	FY 2028
General Revenue	\$0	Up to (\$35,000)	Up to (\$35,000)
<b>Total Estimated Net Effect on General Revenue</b>	<b>\$0</b>	<b>Up to (\$35,000)</b>	<b>Up to (\$35,000)</b>

<b>ESTIMATED NET EFFECT ON OTHER STATE FUNDS</b>			
FUND AFFECTED	FY 2026	FY 2027	FY 2028
<b>Total Estimated Net Effect on <u>Other</u> State Funds</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>

Numbers within parentheses: () indicate costs or losses.

<b>ESTIMATED NET EFFECT ON FEDERAL FUNDS</b>			
<b>FUND AFFECTED</b>	<b>FY 2026</b>	<b>FY 2027</b>	<b>FY 2028</b>
<b>Total Estimated Net Effect on <u>All</u> Federal Funds</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>

<b>ESTIMATED NET EFFECT ON FULL TIME EQUIVALENT (FTE)</b>			
<b>FUND AFFECTED</b>	<b>FY 2026</b>	<b>FY 2027</b>	<b>FY 2028</b>
<b>Total Estimated Net Effect on FTE</b>	<b>0</b>	<b>0</b>	<b>0</b>

- 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.

<b>ESTIMATED NET EFFECT ON LOCAL FUNDS</b>			
<b>FUND AFFECTED</b>	<b>FY 2026</b>	<b>FY 2027</b>	<b>FY 2028</b>
<b>Local Government</b>	<b>\$0</b>	<b>\$0 to (Unknown)</b>	<b>\$0 to (Unknown)</b>

## 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. The provisions of this proposal become effective on July 1, 2026. Therefore, Oversight will reflect a cost of up to DESE's \$35,000 estimate beginning in FY 2027.

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.

Officials from the **Osage County R-I School District** assume [ASSA's Survey](#) of 200 school superintendents found that the average legal fees for a due process hearing was \$10,512.50. The average district expenditure for a due process hearing was approximately \$16,000.

The district has approximately 20 special education students. If half of the IEP's in a year required a due process hearing, it would cost the district \$160,000 per year.

Officials from the **Worth County R-III School District** assume the proposal would have a yearly cost of \$110,000 (3% of budget). The cost includes the following:

Additional Teacher: \$55,000 - SPED staff already over limit on capabilities  
IEP Meetings: \$5000  
Due Process: \$50,000

**Oversight** notes Section 161.854.7 states: “If a local educational agency and parent fail to reach an agreement, either party may request a facilitated individualized education program meeting, mediation, due process complaint and hearing, or other dispute resolution options as outlined in the procedural safeguards notice under 34 CFR 300.504.” Oversight assumes there could be costs for school districts to implement parental consent procedures in this proposal.

The provisions of this proposal become effective on July 1, 2026. Therefore, the costs will be reflected in FY 2027 in the fiscal note. Furthermore, Oversight would assume that this cost would be unknown but ongoing with new enrollment which would bring forth an opportunity for new cases requiring due process.

**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. 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 2026 (10 Mo.)	FY 2027	FY 2028
<b>GENERAL REVENUE</b>			
<u>Costs</u> – translation services - §161.854	\$0	Up to (\$35,000)	Up to (\$35,000)
<b>ESTIMATED NET EFFECT ON GENERAL REVENUE</b>	<b>\$0</b>	<b>Up to (\$35,000)</b>	<b>Up to (\$35,000)</b>

<u>FISCAL IMPACT – Local Government</u>	FY 2026 (10 Mo.)	FY 2027	FY 2028
<b>LOCAL EDUCATION AGENCIES</b>			
<u>Costs</u> – to implement parental consent procedures - §161.854	\$0	\$0 or (Unknown)	\$0 or (Unknown)
<b>ESTIMATED NET EFFECT ON LOCAL EDUCATION AGENCIES</b>	<b>\$0</b>	<b>\$0 or (Unknown)</b>	<b>\$0 or (Unknown)</b>

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 or electronic 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.

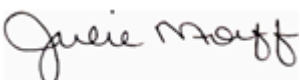
If a child is identified as eligible for special education services, the parents have the right to visit any program proposed for their child. The Department of Elementary and Secondary Education shall adopt a parental consent form, as described in the bill, that each school district shall provide to 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.

The bill has a delayed effective date of July 1, 2026.

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  
Osage County R-I School District  
Worth County R-III School District



Julie Morff  
Director  
January 21, 2025



Jessica Harris  
Assistant Director  
January 21, 2025