

COMMITTEE ON LEGISLATIVE RESEARCH  
OVERSIGHT DIVISION

**FISCAL NOTE**

L.R. No.: 0608-02  
Bill No.: SB 161  
Subject: Education, Elementary and Secondary; Teachers; Kansas City; St. Louis; Boards, Commissions, Committees; Councils; Elementary and Secondary Education Department  
Type: Original  
Date: January 16, 2015

Bill Summary: This proposal modifies requirements for antibullying policies and modifies provisions relating to reading instruction and student promotion.

**FISCAL SUMMARY**

<b>ESTIMATED NET EFFECT ON GENERAL REVENUE FUND</b>			
FUND AFFECTED	FY 2016	FY 2017	FY 2018
General Revenue	(\$75,476)	(\$65,599)	(\$66,364)
<b>Total Estimated Net Effect on General Revenue</b>	<b>(\$75,476)</b>	<b>(\$65,599)</b>	<b>(\$66,364)</b>

<b>ESTIMATED NET EFFECT ON OTHER STATE FUNDS</b>			
FUND AFFECTED	FY 2016	FY 2017	FY 2018
<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.  
 This fiscal note contains 7 pages.

<b>ESTIMATED NET EFFECT ON FEDERAL FUNDS</b>			
<b>FUND AFFECTED</b>	<b>FY 2016</b>	<b>FY 2017</b>	<b>FY 2018</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 2016</b>	<b>FY 2017</b>	<b>FY 2018</b>
General Revenue	1 FTE	1 FTE	1 FTE
<b>Total Estimated Net Effect on FTE</b>	<b>1 FTE</b>	<b>1 FTE</b>	<b>1 FTE</b>

Estimated Net Effect (expenditures or reduced revenues) expected to exceed \$100,000 in any of the three fiscal years after implementation of the act.

<b>ESTIMATED NET EFFECT ON LOCAL FUNDS</b>			
<b>FUND AFFECTED</b>	<b>FY 2016</b>	<b>FY 2017</b>	<b>FY 2018</b>
<b>Local Government</b>	<b>(More than \$685,000)</b>	<b>(More than \$9,760,000)</b>	<b>(More than \$9,760,000)</b>

## FISCAL ANALYSIS

### ASSUMPTION

#### §160.775 Antibullying Policy

Officials at the **Department of Elementary and Secondary Education (DESE)** assume local school districts might incur additional printing costs to implement this proposal. In addition, depending upon the level of training required by each school district for its school employees and volunteers, there could be significant unknown costs.

Officials at the **Kansas City Public Schools (KCPS)** assume this portion of the proposal would cost between \$25,000 and \$50,000 for the antibullying training.

**Oversight** assumes this proposal requires school districts to implement antibullying policies that include certain information. School districts will need have printing costs and staff training costs. Oversight will show the impact to school districts as More than \$100,000.

#### §167.730 Personalized Learning Plan

Officials at the **DESE** will require 1 FTE supervisor to provide consulting services regarding personalized learning plans. DESE will incur approximately \$10,000 in costs for data collection, business rule development, and reporting.

DESE estimates local school districts will require 1 FTE per school building at \$60,000 per FTE for reading recovery (161 buildings x \$60,000 = \$9,660,000).

In addition, DESE estimates local school districts will spend \$15,000 per district for design and implementation of personalized learning plans (39 districts x \$15,000 = \$585,000).

NOTE: DESE has shown costs at the local level; however, mandating a specific model within school districts could violate the Hancock amendment resulting in the costs being borne by the state. Additionally, it takes at least 3-5 years to fully implement an RtI system, especially one with the goal of implementing for grades K-10 across numerous buildings.

Officials at the **KCPS** assume this provision requires additional steps and requirements to facilitate and incorporate response to intervention plans and personal learning plans. It also requires meeting with each parent and obtaining consent to implement the plan. KCPS estimates additional costs of \$100,000 to \$200,000.

**Oversight** has, for fiscal note purposes only, adjusted the salary and benefits of the position to correspond with the salaries posted by DESE for a current job vacancies for a similar position.

ASSUMPTION (continued)

**Oversight** assumes that §167.730 regarding reading recovery does not go into effect until July 1, 2016 (FY 2017).

Officials at the **Special School District of St. Louis** assume there is no fiscal impact from this proposal.

Officials at the following schools: Blue Springs Public Schools, Branson Public Schools, Caruthersville School District, Cole R-I Schools, Columbia Public Schools, Everton R-III School District, Fair Grove Schools, Fulton Public School, Harrisonville School District, Independence Public Schools, Jefferson City Public Schools, Kansas City Public Schools, Kirksville Public Schools, Kirbyville R-VI Schools, Lee Summit Public Schools, Macon School, Malta Bend Schools, Mexico Public Schools, Monroe City R-I Schools, Nixa Public Schools, Parkway Public Schools, Pattonville Schools, Raymore-Peculiar R-III Schools, Raytown School District, Riverview Gardens School District, Sedalia School District, Sikeston Public Schools, Silex Public Schools, Spickard School District, Springfield School District, St Joseph School District, St Louis Public Schools, St. Charles Public Schools, Sullivan Public Schools, Warren County R-III School District and Waynesville Public School did not respond to **Oversight's** request for fiscal impact.

<u>FISCAL IMPACT - State Government</u>	FY 2016 (10 Mo.)	FY 2017	FY 2018
<b>GENERAL REVENUE</b>			
<u>Costs - DESE §167.730</u>			
Personal Service	(\$37,968)	(\$38,348)	(\$38,731)
Fringe Benefits	(\$19,745)	(\$19,943)	(\$20,142)
Equipment and Expenses	(\$7,763)	(\$7,308)	(\$7,491)
Date Collection Expenses	<u>(\$10,000)</u>	<u>\$0</u>	<u>\$0</u>
<u>Total Costs - DESE</u>	<u>(\$75,476)</u>	<u>(\$65,599)</u>	<u>(\$66,364)</u>
FTE Change - DESE	1 FTE	1 FTE	1 FTE
<b>ESTIMATED NET EFFECT ON GENERAL REVENUE</b>	<b><u>(\$75,476)</u></b>	<b><u>(\$65,559)</u></b>	<b><u>(\$66,364)</u></b>
Estimated Net FTE Change on General Revenue	1 FTE	1 FTE	1 FTE

<u>FISCAL IMPACT - Local Government</u>	FY 2016 (10 Mo.)	FY 2017	FY 2018
<b>LOCAL SCHOOL DISTRICT FUNDS</b>			
<u>Costs</u> - Local School Districts - antibullying training §160.775	(More than \$100,000)	(More than \$100,000)	(More than \$100,000)
<u>Costs</u> - Local School Districts - reading recovery §167.730	\$0	(\$9,660,000)	(\$9,660,000)
<u>Costs</u> - Local School Districts - personalized learning plans §167.730	<u>(\$585,000)</u>	<u>\$0</u>	<u>\$0</u>
<b>ESTIMATED NET EFFECT ON LOCAL SCHOOL DISTRICT FUNDS</b>	<b>(More than <u>\$685,000</u>)</b>	<b>(More than <u>\$9,760,000</u>)</b>	<b>(More than <u>\$9,760,000</u>)</b>

FISCAL IMPACT - Small Business

No direct fiscal impact to small businesses would be expected as a result of this proposal.

FISCAL DESCRIPTION

This act modifies provisions relating to school district procedures.

**ANTIBULLYING POLICIES:** This act modifies the requirements for school anti-bullying policies. Each school district's antibullying must be included in the student handbook. School district policies must contain, at a minimum, the following components: a statement prohibiting bullying, including a definition of bullying, as described in the act; a statement requiring district employees to report an instance of bullying of which he or she has firsthand knowledge, has reasonable cause to suspect that a student has been subject to bullying, or has received a report of bullying from a student; a procedure for reporting an act of bullying; a procedure for prompt investigations; how a school will respond to a confirmed incident of bullying; a statement prohibiting reprisal or retaliation against a person who reports an act of bullying; a statement of how the policy will be made public; and a process for discussing the policy with students and training employees and volunteers, as described in the act.

FISCAL DESCRIPTION (continued)

School district administrations must instruct their school counselors to educate students who are victims of bullying on techniques to overcome the negative effects of bullying, including the following: cultivating the student's self-worth and self-esteem; teaching the student to defend himself or herself assertively or effectively; helping the student develop social skills; and encouraging the student to develop an internal locus of control.

School district administrations must implement programs and other initiatives to prevent bullying, respond to such conduct so as to not stigmatize a victim, and to make resources or referrals available to victims of bullying.

**READING INSTRUCTION AND STUDENT PROMOTION:** This act requires, beginning July 1, 2016, all public schools in the St. Louis City School District and Kansas City School District, including charter schools, to use a response-to-intervention tiered approach to reading instruction for students determined by their school to be struggling readers. At a minimum, the reading levels of students in kindergarten through tenth grade must be assessed at the beginning and middle of the school year. Students who score below district benchmarks must be provided with intensive, systemic reading instruction.

Beginning on January 1, 2016, and each January thereafter, each public school in the St. Louis City School District and Kansas City School District, including charter schools, must prepare a personalized learning plan for any kindergarten or first grade student whose most recent school-wide reading assessment result shows the student is below grade level. Certain exceptions exist from this requirement for students with an IEP or a Section 504 Plan. For any student with a personalized learning plan, the student's main teacher must consult with the student's parent or guardian about the plan and must have consent to implement it. If a student is still performing below grade level through the end of the first grade year, the school must refer him or her for assessment to determine if an IEP is necessary. If an IEP is not necessary, the personalized learning plan must remain in place until the student is at grade level.

Any student who is not reading at the second grade level in the St. Louis City School District and the Kansas City School District by the end of second grade may be promoted to third grade only if one of three conditions is satisfied. First, a student may be promoted if the school provides additional reading instruction during the summer and demonstrates the student has the abilities and the knowledge to successfully learn in third grade at the end of summer school. Second, a student may be promoted if the school provides a "looping" classroom in which the student remains with the same teacher for multiple years. If the student is in a looping classroom but is not reading at the third grade level by the end of third grade, the student must be retained. Third, a student may be promoted if the student's parents or guardians may sign a notice that they prefer

FISCAL DESCRIPTION (continued)

to have the student promoted. However, the school will have final determination to retain the student.

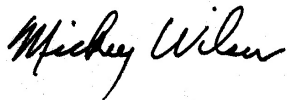
The St. Louis City School District, the Kansas City School District, and each charter school located in them must provide in the annual school accountability report card the numbers and percentages by grade of any students at grade level who have been promoted but who have been determined as reading below grade level.

School districts and charter schools subject to this requirement may provide for a student promotion and retention program and a reading instruction program that are equivalent to those which are described in this section with the oversight and approval of the Department of Elementary and Secondary Education.

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  
Kansas City Public Schools  
St. Louis Public Schools



Mickey Wilson, CPA  
Director  
January 16, 2015

Ross Strope  
Assistant Director  
January 16, 2015