

COMMITTEE ON LEGISLATIVE RESEARCH
OVERSIGHT DIVISION

FISCAL NOTE

L.R. No.: 4602-01
Bill No.: SB 728
Subject: Education, Elementary and Secondary
Type: Original
Date: January 6, 2016

Bill Summary: This proposal modifies the requirements for school anti-bullying policies.

FISCAL SUMMARY

ESTIMATED NET EFFECT ON GENERAL REVENUE FUND			
FUND AFFECTED	FY 2017	FY 2018	FY 2019
Total Estimated Net Effect on General Revenue	\$0	\$0	\$0

ESTIMATED NET EFFECT ON OTHER STATE FUNDS			
FUND AFFECTED	FY 2017	FY 2018	FY 2019
Total Estimated Net Effect on <u>Other</u> State Funds	\$0	\$0	\$0

Numbers within parentheses: () indicate costs or losses.
This fiscal note contains 7 pages.

ESTIMATED NET EFFECT ON FEDERAL FUNDS			
FUND AFFECTED	FY 2017	FY 2018	FY 2019
Total Estimated Net Effect on <u>All</u> Federal Funds	\$0	\$0	\$0

ESTIMATED NET EFFECT ON FULL TIME EQUIVALENT (FTE)			
FUND AFFECTED	FY 2017	FY 2018	FY 2019
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 2017	FY 2018	FY 2019
Local Government	(Unknown over \$100,000)	(Unknown over \$100,000)	(Unknown over \$100,000)

FISCAL ANALYSIS

ASSUMPTION

Oversight notes the current statute requires all school districts to have an antibullying policy in place by September 1, 2007. This proposal expands those policies to include cyberbullying, procedures for reporting bullying and rules regarding the investigation of bullying. This proposal requires school districts to post copies of the policy throughout its buildings, provide training to school staff annually and provide notice annually to students, parents and guardians.

Oversight will show an impact to school district funds of Unknown over \$100,000 for school district's whose current policy does not meet these new requirements and for the training and policy notifications.

Officials at the **Department of Elementary and Secondary Education** assume there is no fiscal impact from this proposal. However, local school districts may incur expenses implementing this proposal.

Officials at the **Smithville School District** assume \$50,000 for staff to process allegations of bullying.

Officials at the **St. Charles School District** assume \$25,000 annually.

Officials at the **Seymour R-II School District** assume \$3,000 in labor, fringe and supplies.

Officials at the **Shell Knob School District** assume the impact is unknown.

Officials at the **Hawthorn Leadership** assume \$2,500 in legal fees to adopt and implement policy.

Officials at the **East Newton School District** assume an impact of \$500.

Officials at the **Avilla R-13, Eldon, Everton, Kansas City, Kearney, Macon County R-IV, Malta Bend, Middle Grove C-1, Parkway, Sarcoxie, Tipton, Warren County R-III, West Plains** and the **Wright City R-II** school districts each assume there is no fiscal impact from this proposal to their respective districts.

Officials at the **Joint Committee on Administrative Rules** assume there is no fiscal impact from this proposal.

ASSUMPTION (continued)

Officials from the **Office of the Secretary of State (SOS)** state many bills considered by the General Assembly include provisions allowing or requiring agencies to submit rules and regulations to implement the act. The SOS is provided with core funding to handle a certain amount of normal activity resulting from each year's legislative session. The fiscal impact for this fiscal note to the SOS for Administrative Rules is less than \$2,500. The SOS recognizes that this is a small amount and does not expect that additional funding would be required to meet these costs. However, the SOS also recognizes that many such bills may be passed by the General Assembly in a given year and that collectively the costs may be in excess of what the office can sustain with the core budget. Therefore, the SOS reserves the right to request funding for the cost of supporting administrative rules requirements should the need arise based on a review of the finally approved bills signed by the governor.

Oversight assumes the SOS could absorb the costs of printing and distributing regulations related to this proposal. If multiple bills pass which require the printing and distribution of regulations at substantial costs, the SOS could request funding through the appropriation process.

Officials at the following school districts: Arcadia Valley R-2, Bakersfield, Belton, Benton County R-2, Bismark R-5, Bloomfield R-14, Blue Springs, Bolivar R-I, Bowling Green R-1, Branson, Brentwood, Bronaugh R-7, Campbell R-2, Carrollton R-7, Caruthersville, Cassville R-4, Central R-III, Chilhowee R-4, Chillicothe R-II, Clarkton C-4, Cole R-I, Columbia, Concordia R-2, Crawford County R-1, Crocker R-II, Delta C-7, East Carter R-2, Fair Grove, Fair Play, Fayette R-3, Forsyth R-3, Fox C-6, Fredericktown R-I, Fulton, Grain Valley, Hancock Place, Hannibal, Harrisonburg R-8, Harrisonville, Hillsboro R-3, Hollister R-5, Humansville R-4, Hurley R-1, Independence, Jefferson City, Kennett #39, King City R-1, Kingston 42, Kirbyville R-VI, Kirksville, Laredo R-7, Lee Summit, Leeton R-10, Lewis County C-1, Lindbergh, Lonedell R-14, Macon County R-1, Mehville, Meramec Valley R-3, Mexico, Midway R-1, Milan C-2, Moberly, Monroe City R-I, Morgan County R-2, New Haven, North St. Francois Co. R-1, Northeast Nodaway R-5, Odessa R-VII, Oregon-Howell R-III, Osage County R-II, Osborn R-O, Pattonville, Pettis County R-12, Pierce City, Plato R-5, Princeton R-5, Raymore-Peculiar R-III, Raytown, Reeds Springs R-IV, Renick R-5, Richland R-1, Richmond R-XVI, Riverview Gardens, Salisbury R-4, Scotland County R-I, Sedalia, Shelby County R-4, Sikeston, Silex, Special School District of St. Louis, St. Elizabeth R-4, Sullivan, Valley R-6, Verona R-7, Warrensburg R-6, Webster Groves and the Westview C-6 school districts did not respond to **Oversight's** request for fiscal impact.

<u>FISCAL IMPACT - State Government</u>	FY 2017 (10 Mo.)	FY 2018	FY 2019
	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>

<u>FISCAL IMPACT - Local Government</u>	FY 2017 (10 Mo.)	FY 2018	FY 2019
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SCHOOL DISTRICT FUNDS

<u>Cost</u> - School Districts - policy updates, training and notifications	(Unknown over <u>\$100,000</u>)	(Unknown over <u>\$100,000</u>)	(Unknown over <u>\$100,000</u>)
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ESTIMATED NET EFFECT ON SCHOOL DISTRICT FUNDS	(Unknown over <u>\$100,000</u>)	(Unknown over <u>\$100,000</u>)	(Unknown over <u>\$100,000</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 act modifies the requirements for school anti-bullying policies. The definition of "bullying" is modified to include intimidation or harassment that substantially interferes with the educational performance, opportunities, or benefits of any student without exception, or that substantially disrupts the orderly operation of the school. Bullying is prohibited by students on school property, at school functions, or on school buses. Cyberbullying is defined in the act.

This act requires that antibullying policies treat all students equally and removes the requirement that policies not identify lists of protected classes of students.

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; the district administration must notify the parents or guardians of the individual alleged in a report to be responsible for a bullying incident or the target of a bullying incident; a procedure for reporting an act of bullying, including anonymous

FISCAL DESCRIPTION (continued)

reporting, as described in the act; 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. The policy must be reviewed annually for compliance with state and federal law.

Any student alleging to be the target of an incident of bullying who has completed all procedures required by the district's reporting policy and who continues to be subjected to bullying must be informed by the district that he or she may seek other remedies. The information may include information to the parents or legal guardians of the possibility of civil action against the person responsible for the bullying. Also, the student and parents or legal guardians must be informed that they may request intervention by any other county, state, or federal agency or office that is empowered to act on behalf of the student.

The State Board of Education must develop model anti-bullying policies to assist school districts no later than September 1, 2017, and has authority to promulgate rules and regulations under this act.

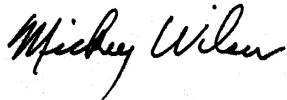
This legislation is not federally mandated, would not duplicate any other program and would not require additional capital improvements or rental space.

SOURCES OF INFORMATION

Avilla R-13 School District
Department of Elementary and Secondary Education
East Newton School District
Eldon School District
Everton School District
Hawthorn Leadership
Joint Committee on Administrative Rules
Kansas City Public Schools
Kearney School District
Macon County R-IV School District
Malta Bend School District
Middle Grove C-1 School District
Office of the Secretary of State
Parkway School District

SOURCES OF INFORMATION (continued)

Sarcoxie School District
Seymour School District
Shell Knob School District
Smithville School District
St. Charles School District
Tipton School District
Warren County R-III School District
West Plains School District
Wright City R-II School District



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January 6, 2016

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