

COMMITTEE ON LEGISLATIVE RESEARCH  
OVERSIGHT DIVISION

**FISCAL NOTE**

L.R. No.: 4821-02  
Bill No.: Perfected HCS for HB 1583  
Subject: Education, Elementary and Secondary  
Type: Original  
Date: March 10, 2016

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Bill Summary: This proposal changes the laws regarding bullying in schools and establishes specific components that a district must include in its antibullying policy.

**FISCAL SUMMARY**

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

<b>ESTIMATED NET EFFECT ON OTHER STATE FUNDS</b>			
FUND AFFECTED	FY 2017	FY 2018	FY 2019
<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 10 pages.

<b>ESTIMATED NET EFFECT ON FEDERAL FUNDS</b>			
<b>FUND AFFECTED</b>	<b>FY 2017</b>	<b>FY 2018</b>	<b>FY 2019</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 2017</b>	<b>FY 2018</b>	<b>FY 2019</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 \$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 2017</b>	<b>FY 2018</b>	<b>FY 2019</b>
<b>Local Government</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>

## FISCAL ANALYSIS

### ASSUMPTION

**Oversight** notes the current statute (§160.775) 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 distribute copies of the policy to their teachers and staff, provide training to school staff annually and provide notice annually to students, parents and guardians.

**Oversight** notes this proposal, in §170.047, would allow a licensed educator to complete up to two hours of training or professional development in youth suicide awareness and prevention. These hours would count toward the required professional development hours for certification. The Department of Elementary and Secondary Education (DESE) is to develop guidelines for the training. Oversight assumes this portion of the proposal would not have a fiscal impact.

**Oversight** notes this proposal, in §170.048, would require each school district to adopt a policy on youth suicide awareness and prevention. DESE shall develop a model policy that the school districts may adopt. Every three years DESE must seek input on district's experiences with the model policy and DESE is to make changes to the model policy as needed. Oversight assumes this portion of the proposal would not have a fiscal impact.

Officials at the **Department of Elementary and Secondary Education** assume that this proposal would have insignificant costs to DESE.

Section 160.775.8 = This requirement would result in additional data collection changes and web applications changes. DESE does not expect costs to be significant.

Section 170.047 = To develop guidelines for training in youth suicide awareness and prevention, we estimate insignificant costs. To develop youth suicide awareness and prevention training materials that schools may use, the department will collaborate with organizations having expertise in this field. DESE estimates insignificant costs.

Section 170.048 = To develop a model policy for youth suicide awareness and prevention, we estimate insignificant costs.

ASSUMPTION (continued)

Beginning in 2021, DESE will be required to collect feedback from districts on their experience with the policy for youth suicide awareness and prevention. This will require the department to develop an instrument, in consultation with experts in the field, to collect valid and reliable data to inform revision decisions in order to make positive changes to the department's model policy. We estimate insignificant costs.

Beginning in 2021, DESE will need to convene the policy committee to review findings from the feedback instrument to make revision decisions to the department's model policy. DESE estimates insignificant costs.

DESE defers to school districts regarding potential costs.

In response to the previous version, officials at the **Brentwood School District** assumed training would cost \$7,500 (\$50/per staff member) and \$200 for policy development.

In response to the previous version, officials at the **Cassville School District** assumed a cost of \$22,500.

In response to the previous version, officials at the **Chilhowee School District** assumed the impact was unknown but would include costs for training and policy development.

In response to the previous version, officials at the **Eldon School District** assumed a cost of \$86,000. \$20,400 for teacher training at \$30 an hour for a minimum of four hours. \$5,000 to bring in the trainer. \$60,000 to handle additional staff to handle bullying investigations.

In response to the previous version, officials at the **Everton School District** assumed costs of \$2,500.

In response to the previous version, officials at the **Hawthorn Leadership** assumed \$2,500 in professional development and legal fees.

In response to a previous version, officials at the **Macon County R-IV School District** assumed the only impact is time to investigate.

In response to a previous version, officials at the **New Haven School District** assumed \$300 per investigation.

ASSUMPTION (continued)

In response to the previous version, officials at the **Shelby County R-IV School District** assumed staff training costs of \$2,000 annually.

In response to the previous version, officials at the **Shell Knob School District** assumed an unknown impact at this time.

In response to the previous version, officials at the **Smithville School District** assumed additional staff to handle required duties. The cost is \$80,000.

In response to the previous version, officials at the **St. Charles School District** assumed costs of \$25,000 annually.

In response to the previous version, officials at the **St. Elizabeth R-IV School District** assumed a cost of \$500 for professional development.

In response to the previous version, officials at the **Warren County R-III School District** assumed that the new reporting requirements could in turn cause additional labor costs. It is unknown at this time.

In response to the previous version, officials at the **West Plains School District** assumed additional training would cost \$10,000-\$23,000 annually.

In response to a previous version, officials at the **Malta Bend, Middle Grove, Sarcoxie R-II, Seymour R-II, West Plains** and the **Wright City R-II** school districts each assumed there would be no fiscal impact from this proposal to their respective districts

In response to the previous version, officials at the **East Newton, Kansas City, Kennett, Parkway, Riverview Gardens**, and the **Webster Groves** school district each assumed there was no fiscal impact from this proposal to their respective school districts.

In response to the previous version, officials at the **Joint Committee on Administrative Rules** assume there is no fiscal impact from this proposal.

In response to the previous version, 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.

ASSUMPTION (continued)

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, Aurora R-8, Bakersfield, Belton, Benton County R-2, Bismark R-5, Bloomfield R-14, Blue Springs, Bolivar R-I, Bowling Green R-1, Branson, Bronaugh R-7, Campbell R-2, Carrollton R-7, Caruthersville, Central R-III, 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, Kearney R-1, King City R-1, Kingston 42, Kirbyville R-VI, Kirksville, Laclede County R-1, 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, Moberly, Monroe City R-I, Morgan County R-2, Nixa, 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, Salisbury R-4, Scotland County R-I, Sedalia, Seymour R-2, Sikeston, Silex, Slater, Special School District of St. Louis County, Spickard R-II, Springfield, St Joseph, St Louis, Sullivan, Valley R-6, Verona R-7, Warrensburg R-6 and the Westview C-6 school districts did not respond to **Oversight's** request for fiscal impact.

House Amendment 1

**Oversight** notes that all school districts were required to establish an anti-bullying policy by September 1, 2007. This amendment removes the requirement that the school districts must implement or adhere to the new provisions outlined in this proposal. Because it is not mandatory that the school districts change their respective anti-bullying policies, any additional costs would only occur pursuant to action of their respective school boards. Therefore, Oversight assumes there will not be a fiscal impact to the local school districts.

<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
	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>

FISCAL IMPACT - Small Business

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

FISCAL DESCRIPTION

This bill modifies provisions relating to student safety.

School District Antibullying Policies (§160.775) - 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 by students is prohibited 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.

Each school district's antibullying policy must be included in the student handbook, as specified in the bill. School district administrations must instruct their school counselors and school psychologists to educate students who are victims of bullying on techniques to overcome the negative effects of bullying. 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.

FISCAL DESCRIPTION (continued)

Any school district may subject a student to discipline for cyberbullying. The district will have jurisdiction to prohibit cyberbullying that originates off the school's campus if it was reasonably foreseeable that the electronic communication would reach the school's campus or there is a sufficient nexus between the electronic communication and the school, as described in the act. A district may also prohibit cyberbullying that occurs outside the district to the greatest extent allowed by law, as described in the act. A district may contact law enforcement and take other appropriate actions to protect students and clarify district expectations.

Each district must annually review its antibullying policy and revise as necessary.

Each district must report the number of confirmed reported bullying incidents in the district and each school to DESE. The Department must post this information on its website but must not release any confidential information.

Youth Suicide Awareness and Prevention (§170.047) - This bill allows, beginning in the 2017-18 school year, any licensed educator to annually complete up to two hours of training or professional development in youth suicide awareness and prevention as part of the professional development hours required for State Board of Education certification.

The bill requires the DESE to develop guidelines suitable for this training.

By July 1, 2018, each district must adopt a policy, which must address strategies that can help identify students who are at possible risk of suicide.

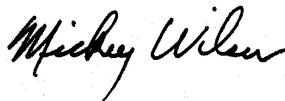
§170.048 - By July 1, 2017, DESE must develop a model policy that districts may adopt. By July 1, 2021, and at least every three years after, DESE must request information and seek feedback from districts on their experience with the policy for youth suicide awareness and prevention and review this information.

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

Brentwood School District  
Cassville School District  
Chilhowee 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  
Kennett School District  
Macon County R-IV School District  
Malta Bend School District  
Middle Grove School District  
New Haven School District  
Office of the Secretary of State  
Parkway School District  
Riverview Gardens School District  
Sarcoxie School District  
Seymour R-II School District  
Shelby County R-IV School District  
Shell Knob School District  
Smithville R-II School District  
St. Charles School District  
St. Elizabeth R-IV School District  
Warren County R-III School District  
Webster Groves School District  
West Plains School District  
Wright City R-II School District



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L.R. No. 4821-02  
Bill No. Perfected HCS for HB 1583  
Page 10 of 10  
March 10, 2016

March 10, 2016

March 10, 2016