

COMMITTEE ON LEGISLATIVE RESEARCH
OVERSIGHT DIVISION

FISCAL NOTE

L.R. No.: 0821H.05C
Bill No.: HCS for SS for SB 38
Subject: Civil Rights; Education, Elementary And Secondary; Education, Higher;
Minorities; Elementary And Secondary Education, Dept. Of; Higher Education
And Workforce Development, Department Of; Children And Minors; Political
Subdivisions
Type: Original
Date: April 20, 2025

Bill Summary: This proposal modifies provisions governing educational institutions.

FISCAL SUMMARY

ESTIMATED NET EFFECT ON GENERAL REVENUE FUND			
FUND AFFECTED	FY 2026	FY 2027	FY 2028
General Revenue*	(\$576,476)	(\$670,853)	(\$604,602)
Total Estimated Net Effect on General Revenue	(\$576,476)	(\$670,853)	(\$604,602)

*Oversight notes the proposal requires DESE and DHEWD each to hire a Title VI coordinator (2 FTE) to fulfill the duties as outlined.

*Oversight reflects estimates from DHEWD for §§178.786 and 178.787 – Higher Education Core Curriculum Transfer Act. Oversight notes, cost for DHEWD to establish new software, hire one FTE for the added workload, and consultant costs.

ESTIMATED NET EFFECT ON OTHER STATE FUNDS			
FUND AFFECTED	FY 2026	FY 2027	FY 2028
Colleges and Universities*	(Unknown)	(Unknown)	(Unknown)
Total Estimated Net Effect on <u>Other</u> State Funds	(Unknown)	(Unknown)	(Unknown)

*This proposal allows other universities to confer degrees currently conferred only by the University of Missouri (UM). It is assumed if other universities decide to offer degrees in programs currently only conferred by UM that the administrative costs could exceed \$250,000

annually and that revenue (tuition and fees) would move from one university to another and would net to \$0.

Numbers within parentheses: () indicate costs or losses.

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

ESTIMATED NET EFFECT ON FULL TIME EQUIVALENT (FTE)			
FUND AFFECTED	FY 2026	FY 2027	FY 2028
General Revenue	3 FTE	3 FTE	3 FTE
Total Estimated Net Effect on FTE	3 FTE	3 FTE	3 FTE

- ☒ 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 2026	FY 2027	FY 2028
Local Government	\$0 to (Unknown)	\$0 to (Unknown)	\$0 to (Unknown)

***Oversight** assumes costs to political subdivisions that adopt rules or regulations that violate section 160.231 which would lead to payment to private schools for attorney fees and costs incurred by a private school for a valid defense.

FISCAL ANALYSIS

ASSUMPTION

§§ 160.014, 160.015, and 173.002 - Protections Against Discrimination

Section 160.015

Officials from **Department of Elementary and Secondary Education (DESE)** assume section 160.015.7 would require DESE to hire a Title VI coordinator to fulfill the duties as outlined. "The state board of education shall establish a Title VI coordinator to monitor antisemitic discrimination and harassment at educational institutions. Each educational institution shall report incidents and complaints of antisemitic discrimination or harassment to such coordinator through a process established for such reporting." DESE assumes this would require a coordinator level position with associated salary (\$90,816), fringe, expenses and equipment.

Oversight does not have any information to the contrary. Therefore, Oversight will reflect the estimated impact by DESE in the fiscal note.

In response to similar legislation, HB 937 (2025), officials from **Washington School District** assumed there is a financial impact for HB 937 of \$125,000 for the first year and then \$100,000 annually. The addition of a FTE for the Title VI Coordinator is \$70,000 with additional training \$5,000, and curriculum/course work \$50,000.

Oversight notes Section 160.015.7 (1) states the State Board of Education shall establish a Title VI coordinator to monitor antisemitic discrimination and harassment at educational institutions. Each educational institution shall report incidents and complaints of antisemitic discrimination or harassment to such coordinator through a process established for such reporting. Therefore, Oversight assumes any costs to educational institutions can be absorbed with existing resources and will not be reflected in the fiscal note.

Section 173.001 & 173.002

Officials from **Department of Higher Education and Workforce Development (DHEWD)** assume section 173.002.7 requires the coordinating board for higher education establish a Title VI coordinator to monitor, investigate, and report on antisemitic discrimination and harassment at educational institutions. The implementation of this bill would require a new FTE at DHEWD to provide oversight and compliance. The anticipated position level is Legal Counsel. DHEWD projects an initial equipment expense for a computer and monitor (\$2,067.74) and \$11,111 for additional furniture, office space, supplies and ITSD support. Ongoing supplies and ITSD support were also factored in for FY27 and FY28.

Oversight does not have any information to the contrary. Therefore, Oversight will reflect the estimated impact by DHEWD in the fiscal note.

Oversight notes Section 1703.002.7 (1) states the State Board of Education shall establish a Title VI coordinator to monitor antisemitic discrimination and harassment at educational institutions. Each educational institution shall report incidents and complaints of antisemitic discrimination or harassment to such coordinator through a process established for such reporting. Therefore, Oversight assumes any costs to educational institutions can be absorbed with existing resources and will not be reflected in the fiscal note.

Oversight notes this proposal states prohibited conduct as it relates specifically to antisemitism shall be incorporated into such educational institution's student, faculty, and employee codes of conduct and shall include penalties for harassment of and discrimination against Jews in compliance with antidiscrimination regulations promulgated under Title VI of the federal Civil Rights Act of 1964, as amended, by the United States Department of Education and the United States Department of Justice.

Oversight assumes that there is potential for loss of federal funding and legal action for noncompliance. However, refusal to grant assistance is the ultimate enforcement action. There are other available alternative actions, such as court enforcement, administrative action, and inducing voluntary compliance. For the purposes of the fiscal note, Oversight assumes alternative actions will be taken to enforce compliance. Therefore, Oversight will reflect a zero impact to school districts in the fiscal note.

In response to similar legislation, HB 937 (2025), officials from the **Department of Labor and Industrial Relations** assumed the proposal will have no fiscal impact on their respective organizations. **Oversight** does not have any information to the contrary. Therefore, Oversight will reflect a zero impact in the fiscal note for these agencies.

In response to similar legislation, HB 937 (2025), officials from the **Northwest Missouri State University** assumed the proposal would have no fiscal impact on their respective organizations. **Oversight** does not have any information to the contrary. Therefore, Oversight will reflect a zero impact in the fiscal note for these agencies.

§160.082 - Missouri CROWN Act

Officials from the **Department of Elementary and Secondary Education** assume the proposal will have no fiscal impact on their organization. Therefore, **Oversight** will reflect a zero impact in the fiscal note for this agency.

In response to a previous version, officials from the **Department of Labor and Industrial Relations** assumed the Human Rights Commission (MCHR) could absorb the increase in complaints with existing resources. However, if the number of additional cases was significant or additional legislation was enacted which increased other types of MCHR complaints, the impact could be substantial enough that the MCHR could not absorb additional work without additional resources and would request such through the appropriations process.

Oversight assumes DOLIR-MCHR is provided with core funding to handle a certain amount of activity each year. Oversight assumes DOLIR could absorb the costs related to this proposal. If multiple bills pass which require additional staffing and duties at substantial costs, DOLIR could request funding through the appropriation process.

In response to a previous version, officials from the **Office of Attorney General (AGO)** assumed any additional litigation costs arising from this proposal can be absorbed with existing personnel and resources. However, the AGO may seek additional appropriations if there is a significant increase in litigation.

Oversight does not have any information to the contrary. Therefore, Oversight assumes the AGO will be able to perform any additional duties required by this proposal with current staff and resources and will reflect no fiscal impact to the AGO for fiscal note purposes.

In response similar legislation, HB 1900 (2024), officials from the **King City R-1 School District** and **Cabool R-IV School District** both assumed the proposal will have no fiscal impact on their organization.

In response to a similar proposal, HB 361 (2023), officials from the **Gordon Parks Elementary Charter School** assumed the proposal will have no fiscal impact on their organization.

In response to a similar proposal, HB 503 (2021), officials from the **High Point R-III School District** assumed the proposal would have no fiscal impact on their organization.

Oversight does not anticipate a fiscal impact to school districts; however, Oversight received a limited number of responses from school districts related to the fiscal impact of this proposal.

§160.231 – Private School Immunity from Certain Civil Liability

Officials from the **Department of Elementary and Secondary Education** assume the proposal will have no fiscal impact on their respective organization. **Oversight** does not have any information to the contrary. Therefore, Oversight will reflect a zero impact in the fiscal note for this agency.

In response to similar legislation, HCS for HB 1197 (2025), officials from the **Office of Attorney General (AGO)** assumed any potential litigation costs arising from this proposal can be absorbed with existing resources. However, the AGO may seek additional appropriations if the proposal results in a significant increase in litigation or investigation.

Oversight does not have any information to the contrary. Therefore, Oversight assumes the AGO will be able to perform any additional duties required by this proposal with current staff and resources and will reflect no fiscal impact to the AGO for fiscal note purposes.

In response to similar legislation, HCS for HB 1197 (2025), officials from the **Hume R-VIII School District** and the **Joplin School District** both assumed the proposal will have no fiscal impact on their organizations.

Oversight assumes the bill prohibits political subdivisions from adopting any ordinance, rule, or regulation prohibiting private schools from establishing multiple-occupancy restrooms and requires such entities to pay for attorney fees and costs incurred by a private school for a valid defense. Therefore, Oversight will show a zero (no litigation) or unknown cost to political subdivisions in the fiscal note.

§§172.280 & 174.160 – Authority to confer degrees at colleges/universities

In response to similar legislation, SB 11 (2025), officials from the **Department of Higher Education and Workforce Development** assumed 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 for this agency.

Officials from the **University of Missouri System (UM)** state that the fiscal impact on the UM System is hard to predict. The fiscal impact to the UM System of MSU offering research doctorates and/or a bachelor's degree in veterinary technology is unknown.

In response to similar legislation, SB 11 (2025), officials from the **UM** stated the fiscal impact on the UM System is difficult to predict but could be significant. It is reasonable to believe that starting new PhD programs, professional degrees, and engineering degrees will significantly increase expenditures at other institutions. These cost increases would require a significant increase in state funding for these institutions, causing a corresponding loss of state funding to the UM System and its four universities.

Oversight assumes UM could experience a negative fiscal impact as a result of this proposal since students could opt to attend another university to obtain their desired degree and that other universities in Missouri would incur additional administrative expenses starting up/adding new programs. The administrative expenses may or may not be offset by an increase in enrollment. Therefore, for fiscal note purposes, Oversight assumes this proposal will have a \$0 to unknown negative fiscal impact on universities.

In addition, the net effect on tuition/fees lost by UM and received by other universities will not be significantly different. Lastly, Oversight assumes the impact could be greater than \$250,000 if even one university decided to create a new graduate, professional and/or engineering program at their institution. Oversight will range the impact from \$0 to an unknown amount.

In response to similar legislation, SB 11 (2025), officials from **Southeast Missouri State University** assumed there is the potential for a likely positive impact on Southeast Missouri State University.

In response to similar legislation, SB 479 (2024), officials from the **Northwest Missouri State University** assumed the proposal would have no fiscal impact on their organization

§§178.786 and 178.787 – Higher Education Core Curriculum Transfer Act

Officials from the **Department of Higher Education and Workforce Development (DHEWD)** state the proposed legislative changes will cause a fiscal impact to DHEWD. DHEWD projects the following costs for Section 178.786 (4):

(1) To create clear transfer pathways, including common course numbering matrices, across Missouri's public institutions in five degree program areas (general business, elementary education and teaching, psychology, registered nursing, and biology), they will need to gather degree program data from all institutions, analyze it, and work with faculty and senior leadership to make proposed changes to the programs. To accomplish this, they will need to secure a national expert to provide analysis and technical assistance. DHEWD estimates consultant costs at approximately \$70,000, based on similar work done in Louisiana.

(2) The OPP will need 1.0 FTE at the Program Specialist level (estimated salary of \$50,000 + \$33,774.97 fringe = \$83,774.89) to handle the increased workload resulting from creation of the pathways (including meeting preparation, creating common course equivalencies, additional course reviews, IT management, etc.).

(3) The Core Curriculum Advisory Committee, or similar committee established to handle the project, will need to meet monthly for the 18 months prior to the launch of the pathways, and then on an ongoing basis to manage the work each academic year. The committee would begin meeting in September 2025, and meet monthly until February 2027, at which time the new courses would be due for publication in institutional catalogs for the AY 2028 academic year. There are currently 37 members of the CCAC, and lunch per diem is \$11 in Jefferson City, costing \$407 per meeting and \$7,326 over the course of the 18 months.

(4) The recently launched CORE 42 submission portal will need to be enhanced to accommodate additional requirements from the expanded transfer pathways. This will include building a new model to handle pathways instead of courses, and accommodations for different components including review structures and timelines. The DHEWD worked with Accenture to build the current system using Service Now software. ITSD projects cost \$150,000 for the first year and \$200,000 in the second and third years, for a total of \$550,000.

Oversight has no information to the contrary. Therefore, Oversight will present the fiscal impact to the General Revenue Fund provided by DHEWD as \$308,011 for FY 2026; \$365,074 for FY 2027 and \$293,338 for FY 2028.

Officials from the **University of Missouri System (UM)** state this legislation would require significant investment of resources to develop a 60-hour core curriculum for each of the five identified academic programs, including reaching consensus on the core across Missouri's 14

public community colleges and 13 public universities. These investments in faculty and staff resources would be necessary to expand the existing CORE 42 program to 60 credits, which may include modifications to the curricula of many programs to accommodate all credit hours into specific programs. To the extent the additional 18 credits are in areas unrelated to the student's degree, this new requirement would increase the educational costs for the student.

Oversight has no information to the contrary. Oversight will present (Unknown) costs/losses as the fiscal impact to College and University Funds. It is assumed the impact could exceed \$250,000 annually. In addition, Oversight assumes these core classes would be classes potentially transferred from community colleges. The proposal will have no fiscal impact on local governments but would represent a loss in fees to four-year colleges and universities.

Responses regarding the proposed legislation as a whole

Officials from the **Missouri Senate** and **Missouri House of Representatives** both assume the proposal will have no fiscal impact on their respective organizations. **Oversight** does not have any information to the contrary. Therefore, Oversight will reflect a zero impact in the fiscal note for these agencies.

Officials from the **University of Central Missouri** assume there would be an indeterminate fiscal impact at UCM.

Oversight only reflects the responses received from state agencies and political subdivisions; however, other colleges, universities, and 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.

Rule Promulgation

Officials from the **Joint Committee on Administrative Rules** assume this proposal is not anticipated to cause a fiscal impact beyond its current appropriation.

Officials from the **Office of the Secretary of State (SOS)** note 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 \$5,000. 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 its 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.

FISCAL IMPACT – State Government	FY 2026 (10 Mo.)	FY 2027	FY 2028
GENERAL REVENUE			
<u>Cost – DESE – §160.015</u>			
Personnel Service	(\$75,680)	(\$92,632)	(\$94,485)
Fringe Benefits	(\$43,493)	(\$52,919)	(\$53,662)
Expense & Equipment	(\$15,227)	(\$12,580)	(\$12,831)
<u>Total Costs - DESE</u>	<u>(\$134,400)</u>	<u>(\$158,131)</u>	<u>(\$160,978)</u>
FTE Change - DESE	1 FTE	1 FTE	1 FTE
<u>Cost – DHEWD – §173.002</u>			
Personnel Service	(\$73,932)	(\$90,492)	(\$92,302)
Fringe Benefits	(\$42,792)	(\$52,061)	(\$52,787)
Expense & Equipment	(\$17,341)	(\$5,095)	(\$5,197)
<u>Total Costs - DHEWD</u>	<u>(\$134,065)</u>	<u>(\$147,648)</u>	<u>(\$150,286)</u>
FTE Change - DHEWD	1 FTE	1 FTE	1 FTE
<u>Cost – DHEWD §§178.786 and 178.787</u>			
Personal service	(\$41,667)	(\$51,000)	(\$52,020)
Fringe benefits	(\$29,860)	(\$36,233)	(\$36,642)
Equipment and expense	(\$12,414)	(\$4,585)	(\$4,676)
<u>Total Costs - DHEWD</u>	<u>(\$83,941)</u>	<u>(\$91,818)</u>	<u>(\$93,338)</u>
FTE Change - DHEWD	1 FTE	1 FTE	1 FTE
<u>Cost – ITSD/Other - DHE §§178.786 and 178.787</u>			
CCAC Meeting Expenses	(\$4,070)	(\$3,256)	\$0
Consultant – Analysis & Technical	(\$70,000)	(\$70,000)	\$0
CORE 42 ITSD Enhancements	(\$150,000)	(\$200,000)	(\$200,000)
<u>Total Costs – ITSD/DHE</u>	<u>(\$224,070)</u>	<u>(\$273,256)</u>	<u>(\$200,000)</u>
ESTIMATED NET EFFECT TO GENERAL REVENUE FUND	<u>(\$576,476)</u>	<u>(\$670,853)</u>	<u>(\$604,602)</u>
Estimated Net FTE Change on General Revenue	3 FTE	3 FTE	3 FTE

COLLEGES AND UNIVERSITIES			
<u>Cost</u> – §§172.280 & 174.160 – Increased administrative costs	\$0 to (Unknown)	\$0 to (Unknown)	\$0 to (Unknown)
<u>Cost</u> – §§178.786 and 178.787 Expansion of core curriculums from 42 to 60 classes	(Unknown)	(Unknown)	(Unknown)
<u>Losses</u> – §§178.786 and 178.787 Reduction in fees	(Unknown)	(Unknown)	(Unknown)
ESTIMATED NET EFFECT ON COLLEGES AND UNIVERSITIES	<u>(Unknown)</u>	<u>(Unknown)</u>	<u>(Unknown)</u>

<u>FISCAL IMPACT – Local Government</u>	FY 2026 (10 Mo.)	FY 2027	FY 2028
POLITICAL SUBDIVISIONS			
<u>Cost</u> – §160.231 - Attorney fees and costs incurred by a private school for a valid defense paid by the local political subdivision	\$0 to (Unknown)	\$0 to (Unknown)	\$0 to (Unknown)
ESTIMATED NET EFFECT ON POLITICAL SUBDIVISIONS	<u>\$0 to (Unknown)</u>	<u>\$0 to (Unknown)</u>	<u>\$0 to (Unknown)</u>

FISCAL IMPACT – Small Business

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

FISCAL DESCRIPTION

This proposal modifies provisions governing educational institutions.

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

Attorney General's Office
Department of Elementary and Secondary Education
Office of Administration - Administrative Hearing Commission
Department of Higher Education and Workforce Development
Department of Labor and Industrial Relations
Office of Administration
Missouri House of Representatives
Missouri Senate
Office of the Secretary of State
Joint Committee on Administrative Rules
Office of the Governor
Missouri Department of Transportation
University of Missouri System
Northwest Missouri State University
University of Central Missouri
Office of the State Courts Administrator



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