

COMMITTEE ON LEGISLATIVE RESEARCH  
OVERSIGHT DIVISION

**FISCAL NOTE**

L.R. No.: 1507-01  
Bill No.: Truly Agreed To and Finally Passed HB 655  
Subject: Children and Minors: Disabilities; Education, Elementary and Secondary;  
Elementary and Secondary Education Dept  
Type: Original  
Date: May 14, 2003

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**FISCAL SUMMARY**

<b>ESTIMATED NET EFFECT ON GENERAL REVENUE FUND</b>			
<b>FUND AFFECTED</b>	<b>FY 2004</b>	<b>FY 2005</b>	<b>FY 2006</b>
<b>Total Estimated Net Effect on General Revenue Fund</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>

<b>ESTIMATED NET EFFECT ON OTHER STATE FUNDS</b>			
<b>FUND AFFECTED</b>	<b>FY 2004</b>	<b>FY 2005</b>	<b>FY 2006</b>
<b>Total Estimated Net Effect on Other State Funds</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>

Numbers within parentheses: ( ) indicate costs or losses.  
This fiscal note contains 4 pages.

<b>ESTIMATED NET EFFECT ON FEDERAL FUNDS</b>			
<b>FUND AFFECTED</b>	<b>FY 2004</b>	<b>FY 2005</b>	<b>FY 2006</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 LOCAL FUNDS</b>			
<b>FUND AFFECTED</b>	<b>FY 2004</b>	<b>FY 2005</b>	<b>FY 2006</b>
<b>Local Government</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>

**FISCAL ANALYSIS**

**ASSUMPTION**

Officials from the **Department of Elementary and Secondary Education (DESE)** assumed this proposal would have no fiscal impact on their agency or on school districts.

DESE states this proposal would implement changes to meet federal regulations implementing IDEA (Individuals with Disabilities Education Act):

- 1) 34 CFR 300.550
- 2) 34 CFR 300.512

Officials from the **Office of State Courts Administrator** indicated there would be no fiscal impact on the Courts resulting from this legislation.

In response to similar proposals, officials from the following school districts made the following assumptions:

Officials from the **Special School District of Saint Louis County** and the **Parkway C-2 School District** indicated there would be no cost to their districts.

Officials from the **Kansas City, Missouri School District** responded to the request for fiscal note and did not indicate any estimate of costs to their district associated with this proposal.

ASSUMPTION (continued)

Officials from the **Saint Louis Public Schools** responded, commenting on the increasing costs of special education, but did not indicate specific impact to their district as a result of this proposal.

<u>FISCAL IMPACT - State Government</u>	FY 2004 (10 Mo.)	FY 2005	FY 2006
	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>

<u>FISCAL IMPACT - Local Government</u>	FY 2004 (10 Mo.)	FY 2005	FY 2006
	<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.

DESCRIPTION

This proposal deletes the current requirement that students receiving special education services must be accommodated when possible by special aids and services rather than separate classes and restates it to require that separate schooling be used only when education in regular classes with aids and services cannot be achieved satisfactorily.

The proposal also revises the procedure for review of hearing panel decisions, requiring the court to receive the administrative record, hear additional evidence if requested, and rule on the preponderance of the evidence, and provides for a 45-day period in which judicial review may be petitioned. The proposal permits appeals of the court's decision and makes the provisions of the administrative procedure chapter applicable to special education due process hearings and appeals.

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

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Page 4 of 4  
May 14, 2003

SOURCES OF INFORMATION

Department of Elementary and Secondary Education  
Kansas City, Missouri School District  
Saint Louis Public Schools  
Parkway C-2 School District  
Office of State Courts Administrator  
Special School District of Saint Louis County



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