

**COMMITTEE ON LEGISLATIVE RESEARCH  
OVERSIGHT DIVISION**

**FISCAL NOTE**

L.R. No.: 1979-01  
Bill No.: SB 641  
Subject: Education, Elementary and Secondary; Children and Minors; Elementary and Secondary Education Dept  
Type: #Corrected  
Date: April 2, 2003  
 # To correct assumptions submitted by Department of Elementary and Secondary Education

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**FISCAL SUMMARY**

<b>ESTIMATED NET EFFECT ON GENERAL REVENUE FUND</b>			
FUND AFFECTED	FY 2004	FY 2005	FY 2006
<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>			
FUND AFFECTED	FY 2004	FY 2005	FY 2006
<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)** indicated 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** stated there would be no fiscal impact on the Courts.

Officials from the **Kansas City, Missouri School District** assume proposed changes in the hearing process would increase the cost of hearings. **Oversight** assumes the costs of hearings should not increase significantly as a result of this proposal.

Officials from the **Saint Louis Public Schools** responded regarding the increasing costs of Special Education, but did not indicate a fiscal 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

Current law asserts that impediments to the learning and normal functioning of special education children in the regular school environment shall be overcome whenever practicable rather than by separate schooling for the disabled. This proposal deletes the aforementioned provision and inserts language which asserts that special classes, separate schooling, or other removal of children with disabilities from the regular educational environment shall occur only when the nature or severity of the disability of a child is such that education in regular classes with the use of supplementary aids and services cannot be achieved satisfactorily.

The proposal also outlines the appeal process in a case where review of a hearing panel's decision is sought by a school district or a parent or guardian.

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

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SOURCES OF INFORMATION

Department of Elementary and Secondary Education  
Office of State Courts Administrator  
St Louis Public Schools  
Kansas City, Missouri School District



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