

### Fiscal Estimate - 2005 Session

Original     
  Updated     
  Corrected     
  Supplemental

<b>LRB Number</b> <b>05-4009/1</b>	<b>Introduction Number</b> <b>SB-678</b>
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**Description**  
 The use of seclusion and restraints in schools

**Fiscal Effect**

**State:**

<input type="checkbox"/> No State Fiscal Effect	<input type="checkbox"/> Indeterminate	<input type="checkbox"/> Increase Existing Revenues	<input type="checkbox"/> Increase Existing Revenues	<input type="checkbox"/> Increase Costs - May be possible to absorb within agency's budget
<input type="checkbox"/> Increase Existing Appropriations	<input type="checkbox"/> Decrease Existing Appropriations	<input type="checkbox"/> Decrease Existing Revenues	<input type="checkbox"/> Decrease Existing Revenues	<input type="checkbox"/> Yes <input type="checkbox"/> No
<input type="checkbox"/> Create New Appropriations				<input type="checkbox"/> Decrease Costs

**Local:**

<input type="checkbox"/> No Local Government Costs	<input checked="" type="checkbox"/> Indeterminate	<b>5. Types of Local Government Units Affected</b>		
1. <input type="checkbox"/> Increase Costs	3. <input type="checkbox"/> Increase Revenue	<input type="checkbox"/> Towns	<input type="checkbox"/> Village	<input type="checkbox"/> Cities
<input type="checkbox"/> Permissive <input type="checkbox"/> Mandatory	<input type="checkbox"/> Permissive <input type="checkbox"/> Mandatory	<input type="checkbox"/> Counties	<input type="checkbox"/> Others	
2. <input type="checkbox"/> Decrease Costs	4. <input type="checkbox"/> Decrease Revenue	<input checked="" type="checkbox"/> School Districts	<input type="checkbox"/> WTCS Districts	
<input type="checkbox"/> Permissive <input type="checkbox"/> Mandatory	<input type="checkbox"/> Permissive <input type="checkbox"/> Mandatory			

<b>Fund Sources Affected</b>	<b>Affected Ch. 20 Appropriations</b>
<input type="checkbox"/> GPR <input type="checkbox"/> FED <input type="checkbox"/> PRO <input type="checkbox"/> PRS <input type="checkbox"/> SEG <input type="checkbox"/> SEGS	

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## Fiscal Estimate Narratives

DPI 4/20/2006

LRB Number	05-4009/1	Introduction Number	SB-678	Estimate Type	Original
<b>Description</b> The use of seclusion and restraints in schools					

### Assumptions Used in Arriving at Fiscal Estimate

This bill limits and conditions the use of seclusion (a behavioral control technique that secludes a pupil in a locked area) and physical or mechanical restraints (the use of a person or a device to control the behavior of a pupil) in public and private schools.

Currently, the department makes materials and information available to schools regarding the use of seclusion and physical restraint in special education programs. "Guidelines for the Appropriate Use of Seclusion and Physical Restraint in Special Education Programs" was compiled by the department's emotional/behavioral disability consultant with the assistance of individuals from several school districts throughout the state. In addition, input was provided by members of the Quality Education Coalition and special education professionals from other states. Although developed for use in special education programs, the guidelines and procedures could be applied in other situations as well.

The department's guidelines include specific recommendations for the use of seclusion and physical or mechanical restraints as well as suggestions for planning, training staff, developing written policies and procedures, reporting and documenting incidents, and using data to evaluate the use of seclusion and restraint. The guidelines include sample logs and reporting forms.

The provisions of the bill are similar or parallel to these recommendations, but would make them statutorily required. Training requirements in the bill specify (a) that each school employee who interacts with pupils receive training on the restraint and seclusion policy governing his or her school and (b) that a school employee may not use a restraint on a pupil unless the employee has received training by recognized crisis intervention experts on how to administer the restraint in accordance with known medical or psychological limitations or in accordance with that pupil's behavioral intervention plan. The bill also requires that a written report be prepared whenever seclusion or restraint is used and that every six months each school district submit these reports to the department.

### Local Fiscal Effect:

It is assumed that many schools are currently following the department's guidelines and recommendations for the use of seclusion and restraint. However, it is further assumed that some schools and school districts have not developed policies. Additional staff time would be needed to establish policies (whether formal school board policies or general operating procedures), develop reporting forms, gather information, and report data, and it is unknown if schools would be able to meet these requirements with existing staff. It is estimated that the cost of staff training by crisis intervention experts as required by the bill could range from about \$400 up to \$1200 per person, plus possible travel expenses and substitute teacher costs, and some larger school districts may need to provide training for many staff members. In addition, most training organizations require recertification of staff on a regular basis. Cooperative Educational Service Agencies (CESAs) may be able to provide training for some districts. Those CESAs would incur costs for trainer-of-trainers course(s) for their staff.

It is unknown how many schools and school districts currently have policies and procedures, staff training, and reporting requirements in place for the use of seclusion and restraint, nor whether it would be possible to meet these requirements with existing resources. It is also unknown how many staff members would require training in each school or school district and which crisis intervention organization or CESA would provide the training. Therefore, the local fiscal effect is indeterminate.

### Long-Range Fiscal Implications