Department of Planning and Budget
2019 Fiscal Impact Statement

1. **Bill Number:** HB1619

House of Origin	☒	Introduced	☐	Substitute	☐ Engrossed
Second House	☐	In Committee	☐	Substitute	☐ Enrolled

2. **Patron:** Thomas

3. **Committee:** Education

4. **Title:** Children's Services Act; special education programs.

5. **Summary:** Expands eligibility for services under the Children's Services Act (CSA) to students who transfer from an approved private school special education program to a public school special education program established and funded jointly by a local governing body and school division located within Planning District 16 for the purpose of providing special education and related services when (i) the public school special education program is able to provide services comparable to those of an approved private school special education program and (ii) the student would require placement in an approved private school special education program but for the availability of the public school special education program.

6. **Budget Amendment Necessary**: No.

7. **Fiscal Impact Estimates:** See 8 below.

8. **Fiscal Implications:** This legislation would make children in Planning District 16 who transition from private day settings to public school settings eligible for CSA mandated funding. Currently, CSA funding is not available for special education services provided in a public school setting.

   The average cost of a private day setting in FY 2018 was $45,119 statewide, with an average local match of approximately 34 percent. This results in an average annual state cost of $29,779 for each student placed in a private day setting. Because there currently is no category of services provided in public school settings, the rate of payment to the school from CSA as a result of this legislation would be negotiated just as any other service rate is negotiated. As a result, it is not possible to know the impact of this legislation. However, it is reasonable to assume that the negotiated rate would not be greater than a private setting, resulting in a neutral net impact to CSA for those students who transfer as a result of this legislation.

   If students in private day who would have otherwise returned to public schools without this legislation become eligible as a result, then CSA will incur costs that otherwise would have been the responsibility of the school districts. Without knowing the rate that would be paid, it is not possible to determine the magnitude of that impact. Because this is limited to one

planning district, that impact would likely be small. However, if this were implemented on a statewide basis, the possible effect would be more significant.

9. **Specific Agency or Political Subdivisions Affected:** Children's Services Act, Department of Education

10. **Technical Amendment Necessary:** No.

11. **Other Comments:** None.