

## FISCAL NOTE

(Return original and 14 copies)

Bill/Resolution No.: HB 1288

Amendment to: \_\_\_\_\_

Requested by Legislative Council

Date of Request: 1-21-99

1. Please estimate the fiscal impact (in dollar amounts) of the above measure for state general or special funds, counties, cities, and school districts.

**Narrative:**

\*The issues outlined in this bill are, for the most part, considerations currently addressed by teachers from the North Dakota School for the Deaf (NDSB) or other public school special education service providers through individualized education programs (IEPs) required by the Individuals with Disabilities Education Act (IDEA). The current ND Parent-Infant Program based at the NDSB tries to address the first three rights listed in the bill. Public schools and the NDSB attempt to meet the issues specified in rights 3-11. There are currently varying degrees to which nearly all of these rights are addressed in the education of deaf or hard of hearing children in our state. **(Cont. on attached.)**

2. **State** fiscal effect in dollar amounts:

	1997-99 Biennium		1999-2001 Biennium		2001-03 Biennium	
	General Fund	Special Fund	General Fund	Special Funds	General Fund	Special Funds
Revenues:	*0	*0	*0	*0	*0	*0
Expenditures:	*0	*0	*0	*0	*0	*0

3. What, if any, is the effect of this measure on the appropriation for your agency or department:

- a. For rest of 1997-99 biennium: N/A
- b. For the 1999-2001 biennium: N/A
- c. For the 2001-03 biennium: N/A

4. **County, City, and School District** fiscal effect in dollar amounts:

1997-99 Biennium			1999-2001 Biennium			2001-03 Biennium		
Counties	Cities	School Districts	Counties	Cities	School Districts	Counties	Cities	School Districts
*0	*0	*0	*0	*0	*0	*0	*0	*0
*0	*0	*0	*0	*0	*0	*0	*0	*0
*0	*0	*0	*0	*0	*0	*0	*0	*0
*0	*0	*0	*0	*0	*0	*0	*0	*0
*0	*0	*0	*0	*0	*0	*0	*0	*0

If additional space is needed, attach a supplemental sheet.

Signed *Brenda K. Oas*

Typed Name Brenda K. Oas

Department Public Instruction

Phone Number 328-2277

Date Prepared: 1/25/99

**(Cont. from previous page, HB 1288, Fiscal Note.)** It is unclear at this time who would be responsible for determining the degree to which these rights must be met and how alleged violations of these rights would be enforced. If the currently employed staff from the NDS and public schools can satisfactorily meet the rights outlined in this bill, there should be little or no additional fiscal impact. However, if a strict standard is established for each right, additional expense could be anticipated both for bringing existing services (e.g., qualified interpreters) up to the stricter standards as well as enforcement of them. This expense would be borne largely by public schools and/or special education units. Additional personnel may be required, especially regarding item nine of the bill, "full support services provided by qualified professionals in the child's educational setting." If the state education agency is required to enforce the provisions of this proposed law, and if the state Protection and Advocacy Project is expected to advocate for clients regarding these rights if violations are alleged, a percentage of personnel costs could be projected for each agency. Similar legislation has been enacted in recent years in Louisiana, South Dakota and Colorado. Employees in those state's departments of education have not observed a fiscal impact resulting from their respective laws. All three persons contacted in those states noted that the IDEA as reauthorized by Congress in 1997 reflects the thinking expressed in the 1992 COR bill of rights for deaf children.