

**LEGISLATIVE FISCAL OFFICE**  
**Fiscal Note**



Fiscal Note On: **SB 303** SLS 16RS 478  
 Bill Text Version: **ORIGINAL**  
 Opp. Chamb. Action:  
 Proposed Amd.:  
 Sub. Bill For.: **REVISED**

<b>Date:</b> April 5, 2016	8:10 AM	<b>Author:</b> MORRELL
<b>Dept./Agy.:</b> Education		<b>Analyst:</b> Jodi Mauroner
<b>Subject:</b> Educational Services in Juvenile Justice Facilities		

EDUCATION ACCOUNTABILITY OR INCREASE GF EX See Note Page 1 of 2  
 Enacts the Educational Accountability and Rehabilitation Act of 2016. (8/1/16)

Proposed legislation provides for Office of Juvenile Justice (OJJ) schools to be included in the state school and district accountability program, provides for specific criteria and timelines. Requires BESE to convene a mutual accountability team to draft a specialized accountability program for educational service to students in secure care facilities operated by OJJ (7/1/16). Requires BESE to promulgate rules in accordance with APA to: establish the accountability program, a school monitoring tool, and the development of a set of supports, interventions and remedies (3/1/17). Requires an educational assessment and counseling policy if schools are deemed academically unacceptable (7/1/17). Requires the accountability team to establish a timeline with a final deadline not to exceed 3 years for OJJ to apply for, receive, and maintain accreditation for each OJJ school (7/1/17). Requires the team to select a comprehensive computerized student information system for use in all OJJ schools. Requires BESE to designate a supervisor level "Program Manager for Juvenile Justice Education Programs". Provides for cause of action to enjoin DOE and OJJ for failure to comply with proposed law. (1/1/17)

<b>EXPENDITURES</b>	<b>2016-17</b>	<b>2017-18</b>	<b>2018-19</b>	<b>2019-20</b>	<b>2020-21</b>	<b>5 -YEAR TOTAL</b>
State Gen. Fd.	INCREASE	INCREASE	INCREASE	INCREASE	INCREASE	
Agy. Self-Gen.	\$0	\$0	\$0	\$0	\$0	<b>\$0</b>
Ded./Other	\$0	\$0	\$0	\$0	\$0	<b>\$0</b>
Federal Funds	\$0	\$0	\$0	\$0	\$0	<b>\$0</b>
Local Funds	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<b><u>\$0</u></b>
<b>Annual Total</b>						

<b>REVENUES</b>	<b>2016-17</b>	<b>2017-18</b>	<b>2018-19</b>	<b>2019-20</b>	<b>2020-21</b>	<b>5 -YEAR TOTAL</b>
State Gen. Fd.	\$0	\$0	\$0	\$0	\$0	<b>\$0</b>
Agy. Self-Gen.	\$0	\$0	\$0	\$0	\$0	<b>\$0</b>
Ded./Other	\$0	\$0	\$0	\$0	\$0	<b>\$0</b>
Federal Funds	\$0	\$0	\$0	\$0	\$0	<b>\$0</b>
Local Funds	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<b><u>\$0</u></b>
<b>Annual Total</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>

**EXPENDITURE EXPLANATION**

There will be an increase in state general fund expenditures by BESE, the Department of Education (DOE) and the Office of Juvenile Justice to fully implement the provisions of the Educational Accountability and Rehabilitation Act. The FY 17 Executive Budget recommendations contain significant budget reductions to state agencies- as much as 63% of state general fund - and to the extent these reductions are enacted, activities which historically would be absorbed by agencies will instead likely require additional resources.

Proposed law is one part of a package of bills introduced in the 2016 Regular Session of the Louisiana Legislature seeking to implement dramatic reforms to the state's juvenile justice system. Senate Bills 301, 302, 303 and 324 comprise a package of bills seeking to implement these changes. To the extent that the adopted changes are effective in reducing recidivism of youthful offenders, reducing contact of youthful offenders with the adult criminal justice system, and reducing the likelihood that a youthful offender will grow into an adult habitual offender, the state may realize significant long-term savings over the course of those individuals' lifetimes. In the short-term, such proposals generally may create significant expenditure impacts as the state adopts programs and strategies to collect, disseminate and use data to effectuate evidence based practices that lead to long-term success.

**BESE** will be required to convene a five member team charged with drafting the program. The bill does not specify whether it is subject to public meetings law and whether members are entitled to per diem and travel reimbursements. If so, there would be an increase in costs associated with such meetings including \$250 for attendance (\$50 per member for travel), and materials (\$50 per meeting) x 24 meetings = \$7,200 in FY 17; out year costs after the program is in place are expected to be nominal. If BESE is unable to designate a supervisory level Program Manager for Juvenile Justice Education Programs from existing staff, a new position would increase costs by approximately \$74,000 (\$50,000 salary plus related benefits).

**Continued on Page Two**

**REVENUE EXPLANATION**

There is no anticipated direct material effect on governmental revenues as a result of this measure.

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| <u>Senate</u>  | <u>Dual Referral Rules</u>   | <u>House</u> |
| <input checked="" type="checkbox"/> 13.5.1 >= \$100,000 Annual Fiscal Cost {S&H} | <input checked="" type="checkbox"/> 6.8(F)(1) >= \$100,000 SGF Fiscal Cost {H & S}         |              |
| <input type="checkbox"/> 13.5.2 >= \$500,000 Annual Tax or Fee Change {S&H}      | <input type="checkbox"/> 6.8(G) >= \$500,000 Tax or Fee Increase or a Net Fee Decrease {S} |              |

*Evan Brasseaux*  
**Evan Brasseaux**  
**Staff Director**

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**CONTINUED EXPLANATION from page one:**

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**Expenditure Explanation Continued from Page One:**

**DOE** will be required to develop supports, interventions and remedies to be implemented when OJJ is deemed to be academically unacceptable based on the specialized performance requirements. Costs will be determined by the type of supports and remedies developed and the extent of the interventions required and are indeterminable at this time. Student growth is to be measured through an appropriate assessment instrument which shall be administered to all students at entry and prior to their release. Student growth is currently measured using the DOE assessments administered in all public schools (iLEAP, LEAP, GEE, EOC, Explore, Plan and ACT). If these are replaced by other assessment instruments, there will be a cost to DOE to contract for the development and administration of such instrument. The cost would depend on the instrument selected, its delivery method, cost of development, administration, scoring, analysis and reporting. The cost cannot be determined until the DOE engages in the RFP process. Additionally, there will be costs associated with an increase in the number of annual assessments. It is not clear if these assessments are meant to replace the annual testing currently administered which could result in a cost offset.

**OJJ** will be required to apply for, receive and maintain accreditation from an independent regional education accrediting commission. Louisiana has an educational accountability system that does not include a formal accreditation process so it is not clear which accrediting body would be used. Most accrediting agencies require membership in the organization in order to receive accreditation, may require annual dues, and assess a fee for the accreditation visit. For example, SACS annual membership dues are based on fixed costs and the size of the school; applicant fees total \$12,750. Each school would also have to cover SACS travel expenses and fees related to site visits to gain accreditation for a total of \$9,000 to \$15,000 (3 x \$3,000 to \$5,000). Each of the three schools currently open (BCCY, SCY, CCY) would need an accreditation liaison at the equivalent of 25% FTE for a total of \$49,101 (OJJ average salary and benefits \$65,468 \* 3 = \$196,404 \* 25%). Costs will also be incurred once Acadiana Center for Youth (ACY) is opened. Standards considered under the accreditation process include school improvement planning, finances, and facilities. Operational Standards include health and safety, educational program, assessment and evidence of student learning, and student services. OJJ may incur costs for workload and other adjustments to meet the standards although that is indeterminable at this time. Failure to meet standards could impact the schools' ability to receive and maintain accreditation.

Proposed legislation also requires the mutual accountability team to select a comprehensive computerized student information system for use in collecting, sorting and reporting data within 120 days of passage of the Act (i.e. 12/1/16) and ensure implementation in each OJJ school by 1/1/17. Such procurements must be made in accordance with the state bid law, requiring a Request for Proposals (RFP) process. There will be cost increases for OJJ to obtain the information system which meets the compatibility requirements defined in the bill, however, until the RFP is issued and responses are received, actual costs cannot be determined.

**DOE/OJJ** Finally, beginning January 1, 2017 an individual shall have a cause of action to enjoin DOE and OJJ for failure to comply with the bill. Thus agencies could incur indeterminable legal costs if such actions are taken.

Senate Dual Referral Rules House

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|--|--|
| <input checked="" type="checkbox"/> 13.5.1 >= \$100,000 Annual Fiscal Cost {S&H} | <input checked="" type="checkbox"/> 6.8(F)(1) >= \$100,000 SGF Fiscal Cost {H & S}         |
| <input type="checkbox"/> 13.5.2 >= \$500,000 Annual Tax or Fee Change {S&H}      | <input type="checkbox"/> 6.8(G) >= \$500,000 Tax or Fee Increase or a Net Fee Decrease {S} |

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