

**LEGISLATIVE BUDGET BOARD**  
**Austin, Texas**

**FISCAL NOTE, 83RD LEGISLATIVE REGULAR SESSION**

**April 12, 2013**

**TO:** Honorable Dan Patrick, Chair, Senate Committee on Education

**FROM:** Ursula Parks, Director, Legislative Budget Board

**IN RE:** SB542 by Watson (relating to alternative dispute resolution methods regarding educational services for students with disabilities, including individualized education program facilitation.), **Committee Report 1st House, Substituted**

**Estimated Two-year Net Impact to General Revenue Related Funds** for SB542, Committee Report 1st House, Substituted: an impact of \$0 through the biennium ending August 31, 2015.

The bill would make no appropriation but could provide the legal basis for an appropriation of funds to implement the provisions of the bill.

**General Revenue-Related Funds, Five-Year Impact:**

<b>Fiscal Year</b>	<b>Probable Net Positive/(Negative) Impact to General Revenue Related Funds</b>
2014	\$0
2015	\$0
2016	\$0
2017	\$0
2018	\$0

**All Funds, Five-Year Impact:**

<b>Fiscal Year</b>	<b>Probable Savings/(Cost) from <i>Fed Health Ed Welf Fd</i> 148</b>
2014	\$0
2015	(\$623,413)
2016	(\$589,923)
2017	(\$602,994)
2018	(\$612,228)

<b>Fiscal Year</b>	<b>Change in Number of State Employees from FY 2013</b>
2014	0.0
2015	1.0
2016	1.0
2017	1.0
2018	1.0

### **Fiscal Analysis**

The bill would require the Texas Education Agency (TEA) to provide information to parents regarding individualized education program facilitation as an alternative dispute resolution method that may be used to avoid a potential dispute between a school district and a parent of a student with a disability.

The bill would require TEA to administer the State Individualized Education Program Facilitation Project, which would include the provision of an independent individualized education program facilitator to facilitate an admission, review, and dismissal committee meeting with parties who are in dispute about decisions relating to the provisions of a free appropriate public education to a student with a disability. The bill would authorize the Commissioner of Education to authorize the use of federal funds to implement the State Individualized Education Program Facilitation Project if adequate federal funding is available.

The bill would apply beginning with the 2014-15 school year.

### **Methodology**

Based on information provided by TEA, 1.0 full-time equivalent would be required to implement the provisions of the bill. The salary related to this position would total \$53,502 per fiscal year, with related benefits costs of \$15,911 per fiscal year, and other operating expenses of \$16,000 in fiscal year 2015 and \$8,000 in subsequent years.

TEA estimates the development of an online system to track individualized education program facilitations would cost \$43,000 in fiscal year 2015 and \$8,600 in subsequent years.

Based on information provided by TEA, it is assumed that 660 parties who are in a dispute would utilize the facilitation, which is approximately twice the number of requested mediations under current law. For the purpose of this analysis, it is assumed that a facilitator would cost \$750 per facilitation. Therefore, the cost of facilitation would be \$495,000 in fiscal year 2015 and would increase by 1.8 percent per year.

TEA has identified adequate federal funding to cover the costs of implementing the provisions of the bill, although any impact to these funds by the sequestration of TEA's federal funds could result in additional costs to General Revenue.

## **Technology**

TEA estimates technology costs associated with the development of an online system to track individualized education program facilitations would require costs of \$43,000 in fiscal year 2015 and \$8,600 in subsequent years.

## **Local Government Impact**

A school district may incur additional costs if they choose to offer individualized education program facilitation outside of the State Individualized Education Program Facilitation Project.

**Source Agencies:** 701 Central Education Agency

**LBB Staff:** UP, JBi, JSc, AH