

TENNESSEE GENERAL ASSEMBLY
FISCAL REVIEW COMMITTEE



FISCAL NOTE

SB 170 – HB 405

February 19, 2019

SUMMARY OF BILL: Requires a local board of education to adopt a policy that requires schools within the local education agency (LEA) to conduct an Adverse Childhood Experiences (ACEs) assessment before suspending, expelling, or requiring a student to attend in-school suspension or alternative school. Requires the policy to provide guidance on who will administer the assessment and requires the results of an ACEs assessment to be considered prior to disciplinary action against the student. Authorizes an LEA to include information on administering an ACEs assessment before disciplinary actions are taken in an ACEs training program.

ESTIMATED FISCAL IMPACT:

**Increase State Expenditures – \$197,500/FY19-20
\$107,500/FY20-21 and Subsequent Years**

**Increase Local Expenditures –
Exceeds \$6,682,000/FY19-20 and Subsequent Years***

Assumptions Relative to State Impact:

- Tennessee Code Annotated § 49-1-230 requires the Department of Education (DOE) to develop a training program on ACEs.
- DOE currently provides an ACE training of trainers (TOT), as described under Tenn. Code. Ann. § 49-1-230, but sufficient resources to deliver comprehensive and coordinated statewide training are not currently appropriated.
- The proposed legislation authorizes an LEA to include information on administering an ACEs assessment in their ACEs training; this would impact over 1,800 schools in 146 school districts.
- The majority of districts do not have a comprehensive training program on ACEs.
- DOE will require one full-time, experienced person to expand the TOT model to be adopted by LEAs. This would include training design, coordination, delivery, and recordkeeping.
- The recurring cost for one Education Consultant III with a mid-range salary is \$97,501 (\$73,872 salary + 18,829 benefits + \$4,800 travel).

- If DOE provides training to the LEAs, participants would be required to attend a three-day training of trainers (TOT) that would increase expenditures for both DOE and LEAs.
- Pursuant to current law, Tenn. Code Ann. § 49-1-230, it is assumed that DOE would be responsible for funding training costs. To train new district personnel, it is estimated to result in a one-time increase to state expenditure in the amount of \$100,000 in FY19-20 and a recurring increase to state expenditures in the amount of \$10,000 in FY20-21 and subsequent years.
- The total increase in state expenditures is estimated to be \$197,501 (\$97,501 + \$100,000) in FY19-20; and \$107,501 (\$97,501 + \$10,000) in FY20-21 and subsequent years.

Assumptions Relative to Local Impact:

- LEAs will need additional resources for the development of processes and protocols to administer the survey as well as the development of protocols to follow when making a final determination regarding discipline. If these are not developed, districts are exposed to increased liability.
- LEAs will need to identify personnel to be trained to conduct the ACEs assessment and personnel to monitor implementation. It is estimated based upon staffing levels at each school that each district would need a minimum of one additional full-time employee at an average cost of \$47,000.
- The mandatory recurring increase in local expenditures is estimated to exceed \$6,862,000 (146 districts x \$47,000 salary and benefits) in FY19-20 and subsequent years.

**Article II, Section 24 of the Tennessee Constitution provides that: no law of general application shall impose increased expenditure requirements on cities or counties unless the General Assembly shall provide that the state share in the cost.*

CERTIFICATION:

The information contained herein is true and correct to the best of my knowledge.



Krista Lee Carsner, Executive Director

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