

January 31, 2012

The Honorable Mike Kiegerl, Chairperson  
House Committee on Children and Families  
Statehouse, Room 173-W  
Topeka, Kansas 66612

Dear Representative Kiegerl:

**SUBJECT:** Fiscal Note for HB 2444 by House Committee on Children and Families

In accordance with KSA 75-3715a, the following fiscal note concerning HB 2444 is respectfully submitted to your committee.

HB 2444 would establish the Freedom from Unsafe Restraint and Seclusion Act. The bill would provide that no child with a disability could be subjected to unreasonable, unsafe, or unwarranted use of physical restraint or seclusion rooms. A child could never be physically restrained or placed in a seclusion room for purposes of discipline or punishment, or for the convenience of staff. A child with a disability could not be subjected to any form of mechanical restraint. The bill would provide instances where a child with a disability could be placed in a seclusion room or be physically restrained.

School districts would be required to document the use of a seclusion room or physical restraints to be completed no later than the school day following the day of use. A copy of the documentation would be provided to the parent when completed. When questions arise concerning who is authorized to receive documentation, the school would notify the same individuals as required with an individualized education plan.

Each district would be required to submit information and data on the use of seclusion and restraint to the Kansas Department of Education (KSDE). This information would provide sufficient data to ensure the patrons, policymakers and the public can gain a clear picture of the use of seclusion and restraint in Kansas public schools. KSDE would be required to compile the reports and provide the results to the public, the Governor, and the House and Senate Education Committees by January 20, 2013 and every year after. KSDE would be required to develop rules and regulations necessary to implement the provisions of this act.

According to KSDE, enactment of HB 2444 would have no fiscal effect.

Sincerely,



Steven J. Anderson, CPA, MBA  
Director of the Budget

cc: Dale Dennis, Education