



# Ohio Legislative Service Commission

*Merilee Newsham*

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## Fiscal Note & Local Impact Statement

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**Bill:** S.B. 266 of the 130th G.A.

**Date:** December 5, 2014

**Status:** As Passed by the Senate

**Sponsor:** Sens. Skindell and Lehner

**Local Impact Statement Procedure Required:** No

**Contents:** The use of seclusion and physical restraint with students and positive behavior intervention supports in public schools

### State Fiscal Highlights

- No direct fiscal effect on the state.

### Local Fiscal Highlights

- Community schools, STEM schools, and college-preparatory boarding schools may experience some additional costs in order to comply with rules addressing seclusion, restraint, and positive behavior intervention supports. These costs may involve additional parent notifications, professional development, development of written policies and procedures, and reports to the state.

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### Detailed Fiscal Analysis

The bill requires the State Board of Education to adopt rules that establish a policy and standards for the implementation of positive behavior intervention supports and the use of physical restraint or seclusion with students. The State Board adopted such a policy and standards on January 15, 2013; and corresponding rules became effective August 1, 2013. These rules, however, only apply to school districts. In addition to school districts, the bill requires community schools, STEM schools, and college-preparatory boarding schools to comply with the policy and standards. Thus, these schools may experience some additional costs in order to comply. These costs may involve additional parent notifications, professional development, development of written policies and procedures, and reports to the state, as described in more detail below.

In general, the rules require public schools to implement positive behavior intervention and supports on a system-wide basis, prohibit certain practices, and place restrictions on the use of physical restraint and seclusion. The rules also require schools to immediately notify a parent of any incident involving seclusion or restraint, including a written report documenting the incident. Schools must ensure that an appropriate number of personnel are trained in crisis management and de-escalation techniques and must maintain training documentation. Schools must also develop written policies and procedures, which must be consistent with the State Board's policy, provide for written responses to parent complaints within 30 days, and monitor implementation of the policies. Finally, schools must annually report information regarding the use of restraint and seclusion to the Ohio Department of Education.

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