

Multiple Agency Fiscal Note Summary

Bill Number: 1701 S HB	Title: Institutional ed. programs
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Estimated Cash Receipts

NONE

Estimated Operating Expenditures

Agency Name	2023-25				2025-27				2027-29			
	FTEs	GF-State	NGF-Outlook	Total	FTEs	GF-State	NGF-Outlook	Total	FTEs	GF-State	NGF-Outlook	Total
Department of Social and Health Services	.0	0	0	0	.0	0	0	0	.0	0	0	0
Department of Children, Youth, and Families	.0	0	0	0	.0	0	0	0	.0	0	0	0
Superintendent of Public Instruction	.5	143,000	143,000	143,000	.5	138,000	138,000	138,000	.0	0	0	0
Superintendent of Public Instruction	In addition to the estimate above, there are additional indeterminate costs and/or savings. Please see individual fiscal note.											
Total \$	0.5	143,000	143,000	143,000	0.5	138,000	138,000	138,000	0.0	0	0	0

Estimated Capital Budget Expenditures

Agency Name	2023-25			2025-27			2027-29		
	FTEs	Bonds	Total	FTEs	Bonds	Total	FTEs	Bonds	Total
Department of Social and Health Services	.0	0	0	.0	0	0	.0	0	0
Department of Children, Youth, and Families	.0	0	0	.0	0	0	.0	0	0
Superintendent of Public Instruction	.0	0	0	.0	0	0	.0	0	0
Total \$	0.0	0	0	0.0	0	0	0.0	0	0

Estimated Capital Budget Breakout

Prepared by: Val Terre, OFM	Phone: (360) 280-3973	Date Published: Final 3/16/2023
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Individual State Agency Fiscal Note

Bill Number: 1701 S HB	Title: Institutional ed. programs	Agency: 300-Department of Social and Health Services
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Part I: Estimates

No Fiscal Impact

Estimated Cash Receipts to:

NONE

Estimated Operating Expenditures from:

NONE

Estimated Capital Budget Impact:

NONE

The cash receipts and expenditure estimates on this page represent the most likely fiscal impact. Factors impacting the precision of these estimates, and alternate ranges (if appropriate), are explained in Part II.

Check applicable boxes and follow corresponding instructions:

- If fiscal impact is greater than \$50,000 per fiscal year in the current biennium or in subsequent biennia, complete entire fiscal note form Parts I-V.
- If fiscal impact is less than \$50,000 per fiscal year in the current biennium or in subsequent biennia, complete this page only (Part I).
- Capital budget impact, complete Part IV.
- Requires new rule making, complete Part V.

Legislative Contact: Alex Fairfortune	Phone: 360-786-7416	Date: 03/06/2023
Agency Preparation: Sara Corbin	Phone: 360-902-8194	Date: 03/09/2023
Agency Approval: Dan Winkley	Phone: 360-902-8236	Date: 03/09/2023
OFM Review: Jason Brown	Phone: (360) 742-7277	Date: 03/16/2023

Part II: Narrative Explanation

II. A - Brief Description Of What The Measure Does That Has Fiscal Impact

Significant provisions of the bill and any related workload or policy assumptions that have revenue or expenditure impact on the responding agency by section number.

No fiscal impact to the Department of Social and Health Services (DSHS) as Sec. 3: clarifies that the superintendent of public instruction will take over the delivery and oversight of justice-involved students being served through institutional education programs, but specifies this does NOT include programs in facilities under the jurisdiction of DSHS. The bill excluded DSHS from the list of educational programs involving justice-involved youth being impacted by this bill, thus no fiscal impact to DSHS.

II. B - Cash receipts Impact

Cash receipts impact of the legislation on the responding agency with the cash receipts provisions identified by section number and when appropriate, the detail of the revenue sources. Description of the factual basis of the assumptions and the method by which the cash receipts impact is derived. Explanation of how workload assumptions translate into estimates. Distinguished between one time and ongoing functions.

II. C - Expenditures

Agency expenditures necessary to implement this legislation (or savings resulting from this legislation), with the provisions of the legislation that result in the expenditures (or savings) identified by section number. Description of the factual basis of the assumptions and the method by which the expenditure impact is derived. Explanation of how workload assumptions translate into cost estimates. Distinguished between one time and ongoing functions.

Part III: Expenditure Detail

III. A - Operating Budget Expenditures

NONE

III. B - Expenditures by Object Or Purpose

NONE

III. C - Operating FTE Detail: *FTEs listed by classification and corresponding annual compensation. Totals agree with total FTEs in Part I and Part IIIA.*

NONE

III. D - Expenditures By Program (optional)

NONE

Part IV: Capital Budget Impact

IV. A - Capital Budget Expenditures

NONE

IV. B - Expenditures by Object Or Purpose

NONE

IV. C - Capital Budget Breakout

Acquisition and construction costs not reflected elsewhere on the fiscal note and description of potential financing methods.

NONE

IV. D - Capital FTE Detail: *FTEs listed by classification and corresponding annual compensation. Totals agree with total FTEs in Part IVB.*

NONE

Part V: New Rule Making Required

Provisions of the bill that require the agency to adopt new administrative rules or repeal/revise existing rules.

Individual State Agency Fiscal Note

Bill Number: 1701 S HB	Title: Institutional ed. programs	Agency: 307-Department of Children, Youth, and Families
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Part I: Estimates

No Fiscal Impact

Estimated Cash Receipts to:

NONE

Estimated Operating Expenditures from:

NONE

Estimated Capital Budget Impact:

NONE

The cash receipts and expenditure estimates on this page represent the most likely fiscal impact. Factors impacting the precision of these estimates, and alternate ranges (if appropriate), are explained in Part II.

Check applicable boxes and follow corresponding instructions:

- If fiscal impact is greater than \$50,000 per fiscal year in the current biennium or in subsequent biennia, complete entire fiscal note form Parts I-V.
- If fiscal impact is less than \$50,000 per fiscal year in the current biennium or in subsequent biennia, complete this page only (Part I).
- Capital budget impact, complete Part IV.
- Requires new rule making, complete Part V.

Legislative Contact: Alex Fairfortune	Phone: 360-786-7416	Date: 03/06/2023
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Agency Approval: James Smith	Phone: 360-764-9492	Date: 03/14/2023
OFM Review: Cynthia Hollimon	Phone: (360) 810-1979	Date: 03/15/2023

Part II: Narrative Explanation

II. A - Brief Description Of What The Measure Does That Has Fiscal Impact

Significant provisions of the bill and any related workload or policy assumptions that have revenue or expenditure impact on the responding agency by section number.

Comparison of 1701 SHB to 1701 HB:

New Subsection

Section 4 (3) Added requirements for The Office of the Superintendent of Public Instruction.

1701 SHB

SHB 1701 assigns the Superintendent of Public Instruction the responsibility for the delivery and oversight of basic education services to justice-involved youth through the institutional education programs in facilities that are not under the jurisdiction of the department of social and health services.

Section 2 establishes a joint select legislative committee on governance and funding for institutional education. The Office of the Superintendent of Public Instruction (OSPI), Department of Children, Youth and Families (DCYF), and the Department of Social and Health Services (DSHS) are directed to cooperate with the committee and provide any requested information. The committee is directed to report findings and recommendations to the Governor and Superintendent of Public Instruction, the chair of the State Board of Education, and appropriate committees of the Legislature by December 1, 2024.

Section 3(16) is amended to assign the Superintendent of Public Instruction the responsibility for delivery and oversight of all basic education services to justice-involved youth under the age of 21 who are served through institutional education programs.

Section 4 adds a new chapter to 28A.300 RCW which instructs the Superintendent of Public Instruction to develop a timeline and plan for assuming responsibility outlined in section 3 by September 1, 2027. Beginning 12/15/2023 and annually through 2026, OSPI is directed to provide an interim report on progress made in achieving the requirements of section 4 to the Governor, Education, and Fiscal committees of the Legislature.

Section 5 adds a new chapter to 28A.190 RCW that assigns the Superintendent of Public Instruction responsibility for the delivery and oversight of basic education services to justice-involved students who are under the age of 21 and served through institutional education programs in facilities that are not under the jurisdiction of DSHS.

II. B - Cash receipts Impact

Cash receipts impact of the legislation on the responding agency with the cash receipts provisions identified by section number and when appropriate, the detail of the revenue sources. Description of the factual basis of the assumptions and the method by which the cash receipts impact is derived. Explanation of how workload assumptions translate into estimates. Distinguished between one time and ongoing functions.

None.

II. C - Expenditures

Agency expenditures necessary to implement this legislation (or savings resulting from this legislation), with the provisions of the legislation that result in the expenditures (or savings) identified by section number. Description of the factual basis of the assumptions and the method by which the expenditure impact is derived. Explanation of how workload assumptions translate into cost estimates. Distinguished between one time and ongoing functions.

None.

Part III: Expenditure Detail

III. A - Operating Budget Expenditures

NONE

III. B - Expenditures by Object Or Purpose

NONE

III. C - Operating FTE Detail: *FTEs listed by classification and corresponding annual compensation. Totals agree with total FTEs in Part I and Part IIIA.*

NONE

III. D - Expenditures By Program (optional)

NONE

Part IV: Capital Budget Impact

IV. A - Capital Budget Expenditures

NONE

IV. B - Expenditures by Object Or Purpose

NONE

IV. C - Capital Budget Breakout

Acquisition and construction costs not reflected elsewhere on the fiscal note and description of potential financing methods.

NONE

IV. D - Capital FTE Detail: *FTEs listed by classification and corresponding annual compensation. Totals agree with total FTEs in Part IVB.*

NONE

None.

Part V: New Rule Making Required

Provisions of the bill that require the agency to adopt new administrative rules or repeal/revise existing rules.

Individual State Agency Fiscal Note

Bill Number: 1701 S HB	Title: Institutional ed. programs	Agency: 350-Superintendent of Public Instruction
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Part I: Estimates

No Fiscal Impact

Estimated Cash Receipts to:

NONE

Estimated Operating Expenditures from:

	FY 2024	FY 2025	2023-25	2025-27	2027-29
FTE Staff Years	0.5	0.5	0.5	0.5	0.0
Account					
General Fund-State 001-1	74,000	69,000	143,000	138,000	0
Total \$	74,000	69,000	143,000	138,000	0

In addition to the estimates above, there are additional indeterminate costs and/or savings. Please see discussion.

Estimated Capital Budget Impact:

NONE

The cash receipts and expenditure estimates on this page represent the most likely fiscal impact. Factors impacting the precision of these estimates, and alternate ranges (if appropriate), are explained in Part II.

Check applicable boxes and follow corresponding instructions:

- If fiscal impact is greater than \$50,000 per fiscal year in the current biennium or in subsequent biennia, complete entire fiscal note form Parts I-V.
- If fiscal impact is less than \$50,000 per fiscal year in the current biennium or in subsequent biennia, complete this page only (Part I).
- Capital budget impact, complete Part IV.
- Requires new rule making, complete Part V.

Legislative Contact: Alex Fairfortune	Phone: 360-786-7416	Date: 03/06/2023
Agency Preparation: Tisha Kuhn	Phone: 360 725-6424	Date: 03/15/2023
Agency Approval: Amy Kollar	Phone: 360 725-6420	Date: 03/15/2023
OFM Review: Val Terre	Phone: (360) 280-3973	Date: 03/16/2023

Part II: Narrative Explanation

II. A - Brief Description Of What The Measure Does That Has Fiscal Impact

Significant provisions of the bill and any related workload or policy assumptions that have revenue or expenditure impact on the responding agency by section number.

Changes compared to HB 1701

Section 4 (1): Expands on what the timeline and plan should consider including staffing transitions for educators and staff that, as of the effective date of this section, deliver education programming and services to the justice-involved students.

Section 4(3): Language added requiring the Superintendent of Public Instruction (OSPI) to consult with organizations representing educators and staff that deliver education programming and services to justice-involved students who are under the age of 21 and served through institutional education programs in facilities that are not under the jurisdiction of the Department of Social and Health Services (DSHS).

Summary of SHB 1701

Section 1 (New):

Legislative findings and intent section.

1. Finds that students who are served through institutional education programs are entitled to full access to the state's statutory program of basic education.
2. In 2021 legislation directed the Office of the Superintendent of Public Instruction (OSPI) and the Department of Children, Youth, and Families (DCYF) to jointly develop recommendations for the establishment, implementation, and funding of a reformed institutional education system and finds that OSPI and DCYF did not sufficiently address legislative directives for reform recommendations.
3. Intends to initiate the process of assigning OSPI responsibility for the delivery and oversight of based education services to justice-involved youth served through institutional education programs in facilities that are not under the jurisdiction of the De Department of Social and Health Services (DSHS).
4. Directs the new program to implement the state's educational duties and goals under RCW 28A.150.210.
5. Intends to address essential governance, oversight and accountability, and continuity of education reforms.
6. Intends that these reforms recognize, support, and fully fund the unique educational needs of youth who receive education in these settings.
7. Intends for these reforms to provide these students with the opportunity to access the education and supports needed to make life-changing, and life-improving, academic process.

Section 2 (New):

Section 2(1): Establishes a joint select committee on governance and funding for institutional education that includes one member from each of the two largest caucuses of the senate and the house of representatives.

Section 2(2): Requires the committee to examine and evaluate revisions to statutes, funding formulae, funding sources, and operating and capital budget appropriation structure to assign OPSI with delivery and oversight of basic education services to youth receiving education through institutional education programs in facilities not under the jurisdiction of DSHS.

Section 2(3): Requires OSPI, DCYF, and DSHS to cooperate with the committee and provide information as the cochairs may request.

Section 2(4): Requires the senate committee services and the house of representative's office of program research to provide the support staff of the committee.

Section 2(5): Entitles members of the committee to be reimbursed for travel expenses in accordance with RCW 44.04.120.

Section 2(6): Requires that expenses of the committee to be paid jointly by the senate and the house of representatives. Committee expenses are subject to approval.

Section 2(7): Requires the committee to reports its findings and recommendations to the governor, OSPI, the chair of the State Board of Education (SBE), and appropriate committees of the legislature by December 1, 2024.

Section 2(8): Informs that this section expires on December 31, 2024.

Section 3 (Amended):

Section 3(16): Language added to the powers and duties of OSPI to include performing all duties required by this act for the delivery and oversight of basic education services to justice-involved students under the age of 21 who are served through institutional education programs in facilities that are not under the jurisdiction of DSHS.

Section 4 (New):

Section 4(1): Requires OSPI to develop a timeline and plan for assuming responsibility for the delivery of basic education services to justice-involved students under the age of 21 who are served through institutional education programs in facilities that are not under the jurisdiction of DSHS by September 1, 2027. Details what the timeline and plan is required to consider.

Section 4(2): Beginning December 15, 2023, and annually thereafter through 2026, requires OSPI in accordance with RCW 43.01.036, to provide an interim report on progress made in achieving the requirements of this section to the governor and the education and fiscal committees of the legislative.

Section 4(3): Requires OSPI to consult with organizations representing educators and staff that deliver education programming and services to justice-involved students who are under the age of 21 and served through institutional education programs in facilities that are not under the jurisdiction of DSHS.

Section 4(4): Informs that this section expires June 30, 2027.

Section 5 (New):

Beginning September 1, 2027, informs that OSPI is responsibility for the delivery of basic education services to justice-involved students under the age of 21 who are served through institutional education programs in facilities that are not under the jurisdiction of DSHS.

II. B - Cash receipts Impact

Cash receipts impact of the legislation on the responding agency with the cash receipts provisions identified by section number and when appropriate, the detail of the revenue sources. Description of the factual basis of the assumptions and the method by which the cash receipts impact is derived. Explanation of how workload assumptions translate into estimates. Distinguished between one time and ongoing functions.

No cash receipts impact anticipated.

II. C - Expenditures

Agency expenditures necessary to implement this legislation (or savings resulting from this legislation), with the provisions of the legislation that result in the expenditures (or savings) identified by section number. Description of the factual basis of the assumptions and the method by which the expenditure impact is derived. Explanation of how workload assumptions translate into cost estimates. Distinguished between one time and ongoing functions.

OSPI assumes it will require the following to implement Sections 2-4:

Staffing:

- 0.25 FTE Program Supervisor's time in the Institutional Education program to work with the legislative committee to provide information and as needed in section 2, oversight of basic education services in section 3, and development of a timeline and plan for assuming responsibility for the delivery of basic education services of institutional education programs by September 1, 2027 in section 4. In addition to working with the legislative committee, this includes collaborating within OSPI, DCYF, DSHS, educational service districts, school districts and organizations representing educators and staff. OSPI estimates the cost associated with this work to be \$41,000 in FY24 and \$38,000 annually until FY27.

- 0.20 FTE Enrollment Program Manager’s time in the School Apportionment and Financial Resources Program to work with the legislative committee to provide information and as needed as well as work closely with the program supervisor in the institutional education program to model funding scenarios and plans as needed for assuming responsibility for the delivery of basic education services of institutional education programs by September 1, 2027. In addition to working with the legislative committee, this includes collaborating within OSPI, DCYF, DSHS, educational service districts, school districts and organizations representing educators and staff. OSPI estimates the cost associated with this work to be \$33,000 in FY24 and \$31,000 annually until FY27.

OSPI assumes Section 5 is indeterminate:

- Section 5 requires the work from sections 2-4 to be complete to implement and therefore is indeterminate as OSPI does not have enough information currently to reasonably estimate costs.

Part III: Expenditure Detail

III. A - Operating Budget Expenditures

Account	Account Title	Type	FY 2024	FY 2025	2023-25	2025-27	2027-29
001-1	General Fund	State	74,000	69,000	143,000	138,000	0
Total \$			74,000	69,000	143,000	138,000	0

In addition to the estimates above, there are additional indeterminate costs and/or savings. Please see discussion.

III. B - Expenditures by Object Or Purpose

	FY 2024	FY 2025	2023-25	2025-27	2027-29
FTE Staff Years	0.5	0.5	0.5	0.5	
A-Salaries and Wages	41,000	41,000	82,000	82,000	
B-Employee Benefits	22,000	22,000	44,000	44,000	
C-Professional Service Contracts					
E-Goods and Other Services	3,000	3,000	6,000	6,000	
G-Travel	3,000	3,000	6,000	6,000	
J-Capital Outlays	5,000		5,000		
M-Inter Agency/Fund Transfers					
N-Grants, Benefits & Client Services					
P-Debt Service					
S-Interagency Reimbursements					
T-Intra-Agency Reimbursements					
9-					
Total \$	74,000	69,000	143,000	138,000	0

In addition to the estimates above, there are additional indeterminate costs and/or savings. Please see discussion.

III. C - Operating FTE Detail: *List FTEs by classification and corresponding annual compensation. Totals need to agree with total FTEs in Part I and Part IIIA*

Job Classification	Salary	FY 2024	FY 2025	2023-25	2025-27	2027-29
Enrollment Program Manager	90,544	0.2	0.2	0.2	0.2	
Program Supervisor	90,544	0.3	0.3	0.3	0.3	
Total FTEs		0.5	0.5	0.5	0.5	0.0

III. D - Expenditures By Program (optional)

NONE

Part IV: Capital Budget Impact

IV. A - Capital Budget Expenditures

NONE

IV. B - Expenditures by Object Or Purpose

NONE

IV. C - Capital Budget Breakout

Acquisition and construction costs not reflected elsewhere on the fiscal note and description of potential financing methods.

NONE

IV. D - Capital FTE Detail: *FTEs listed by classification and corresponding annual compensation. Totals agree with total FTEs in Part IVB.*

NONE

No capital budget impact.

Part V: New Rule Making Required

Provisions of the bill that require the agency to adopt new administrative rules or repeal/revise existing rules.