

FISCAL NOTE
LEGISLATIVE FISCAL ANALYST ESTIMATE

ESTIMATE OF FISCAL IMPACT – STATE AGENCIES (See narrative for political subdivision estimates)				
	FY 2019-20		FY 2020-21	
	EXPENDITURES	REVENUE	EXPENDITURES	REVENUE
GENERAL FUNDS	See summary below		See summary below	
CASH FUNDS				
FEDERAL FUNDS				
OTHER FUNDS				
TOTAL FUNDS	See summary below		See summary below	

Any Fiscal Notes received from state agencies and political subdivisions are attached following the Legislative Fiscal Analyst Estimate.

LB702 would adopt the Campus Safety Act. The University of Nebraska, Nebraska State College System and the six Nebraska community college areas are included among Nebraska postsecondary institutions that would be subject to provisions of the act.

Among its provisions, the bill provides that each postsecondary institution is to adopt definitions of specified terms including dating violence, domestic violence, sexual assault, stalking, as well as on-campus, near-campus and off-campus as they relate to the foregoing terms. Pursuant to the act, each postsecondary institution is to adopt policies with respect these terms as well as various other elements as prescribed in the act and make them available, upon request, to an applicant, student or employee of the institution. Each postsecondary institution is to transmit the policies to all students on/before October 1, 2019 and on/before October 1 each year thereafter. The bill also requires each postsecondary institution to make available on its web site various prescribed information relating to the Campus Safety Act. Each postsecondary institution is also to provide a method for anonymously reporting an incident of dating violence, domestic violence, sexual assault, or stalking that involves a student or employee either on, near or off-campus.

LB702 provides that each institution is to establish rules and procedures for resolving allegations of dating violence, domestic violence, sexual assault, or stalking by students and employees and would require the postsecondary institutions to conduct investigations, hearings and disciplinary proceedings with respect to related allegations.

With specified exception, the bill directs that each postsecondary institution is to enter into and maintain a memorandum of understanding with at least one community-based sexual assault center and at least one community-based domestic violence agency to provide services as specified in the bill.

LB702 also directs the Coordinating Commission for Postsecondary Education to establish a campus safety officer staff position and identifies functions to be performed by the staff member who is to be appointed by the executive director of the commission.

Estimates of General Fund expenditure impacts as identified in fiscal note responses with respect to LB702 are as follows:

LB702 - Campus Safety Act estimated costs Identified by:

<u>Coordinating Commission for Postsecondary Education</u>	<u>2019-20</u>	<u>2020-21</u>
Salary – 1.00 FTE Campus Safety Officer	80,000	81,600
Benefits	33,500	34,800
Non-personnel costs	<u>3,960</u>	<u>3,960</u>
Subtotal – Coordinating Commission	<u>117,460</u>	<u>120,360</u>
<u>Nebraska State College System</u>		
Salary – 3.00 FTE Licensed Student Counselors	154,421	154,421
Benefits	75,820	75,820
Non-personnel costs	<u>0</u>	<u>0</u>
Subtotal – Nebraska State Colleges	<u>230,241</u>	<u>230,241</u>

Continued at following page

<u>University of Nebraska</u>	<u>2019-20</u>	<u>2020-21</u>
Salary – 1.00 FTE Campus Safety Officer	50,000	50,000
Salary – 1.75 FTE Title IX Generalist	105,000	105,000
Salary – 0.50 FTE Confidential Resource Advisor	30,000	30,000
Salary – 2.00 FTE Title IX Investigator	<u>136,000</u>	<u>136,000</u>
Salary Subtotal	321,000	321,000
Benefits	90,000	90,000
Non-personnel costs	<u>312,000</u>	<u>292,000</u>
Subtotal – University of Nebraska	<u>723,000</u>	<u>703,000</u>

<u>Metropolitan Community College Area</u>		
Training and staffing costs	<u>31,800</u>	<u>31,800</u>

Nebraska Community College Association (NCCA):
Central, Mid-Plains, Northeast, Southeast
and Western Community College Areas

Salary – 5.00 FTE Assistant Title IX Coordinators/Compliance Officers	235,000	235,000
Benefits	<u>70,500</u>	<u>70,500</u>
Subtotal – NCCA Community College Areas	<u>305,500</u>	<u>305,500</u>

ADMINISTRATIVE SERVICES STATE BUDGET DIVISION: REVIEW OF AGENCY & POLT. SUB. RESPONSE			
LB:	702	AM:	AGENCY/POLT. SUB: Coordinating Commission for Postsecondary Education
REVIEWED BY:	Gary Bush	DATE:	01/31/19 PHONE: (402) 471-4161
COMMENTS: No basis to disagree with the estimated provided by the agency with the assumptions used.			

ADMINISTRATIVE SERVICES STATE BUDGET DIVISION: REVIEW OF AGENCY & POLT. SUB. RESPONSE			
LB:	702	AM:	AGENCY/POLT. SUB: Nebraska State College System
REVIEWED BY:	Gary Bush	DATE:	02/05/19 PHONE: (402) 471-4161
COMMENTS: No basis to disagree with the estimate provided by the Nebraska State College System on the possible costs to implement LB702. For FY2019, 51% the State Colleges operational budget is supported by State General Funds..			

ADMINISTRATIVE SERVICES STATE BUDGET DIVISION: REVIEW OF AGENCY & POLT. SUB. RESPONSE			
LB:	702	AM:	AGENCY/POLT. SUB: University of Nebraska
REVIEWED BY:	Gary Bush	DATE:	02/05/19 PHONE: (402) 471-4161
COMMENTS: No basis to disagree with the estimate provided by the University of Nebraska on the possible costs to implement LB702. For FY2019, 59% the University operational budget is supported by State General Funds..			

ADMINISTRATIVE SERVICES STATE BUDGET DIVISION: REVIEW OF AGENCY & POLT. SUB. RESPONSE			
LB:	702	AM:	AGENCY/POLT. SUB: Metropolitan Community College
REVIEWED BY:	Gary Bush	DATE:	02/05/19 PHONE: (402) 471-4161
COMMENTS: No basis to disagree with the estimate provided by the Metropolitan Community College on the possible costs to implement LB702. The amount shown as general funds would come from the community college general operating funds and would not be State General Funds.			

ADMINISTRATIVE SERVICES STATE BUDGET DIVISION: REVIEW OF AGENCY & POLT. SUB. RESPONSE

LB: 702 AM: AGENCY/POLT. SUB: Nebraska Community College Association

REVIEWED BY: Gary Bush DATE: 02/05/19 PHONE: (402) 471-4161

COMMENTS: No basis to disagree with the estimate provided by the Nebraska Community College Association on the possible costs to the each of the five community colleges that belong to the association. It would be assumed that the costs would continue and not be limited to the first year.
The amount shown as general funds would come from the community college general operating funds and would not be State General Funds.

Please complete ALL (5) blanks in the first three lines.

2019

LB⁽¹⁾ 702

FISCAL NOTE

State Agency OR Political Subdivision Name: ⁽²⁾ Coordinating Commission for Postsecondary Education

Prepared by: ⁽³⁾ Gary Timm Date Prepared: ⁽⁴⁾ 1-28-19 Phone: ⁽⁵⁾ 402-471-0020

ESTIMATE PROVIDED BY STATE AGENCY OR POLITICAL SUBDIVISION

	<u>FY 2019-20</u>		<u>FY 2020-21</u>	
	<u>EXPENDITURES</u>	<u>REVENUE</u>	<u>EXPENDITURES</u>	<u>REVENUE</u>
GENERAL FUNDS	\$117,460		\$ 120,360	
CASH FUNDS				
FEDERAL FUNDS				
OTHER FUNDS				
TOTAL FUNDS	<u>\$117,460</u>	<u>\$0</u>	<u>\$ 120,360</u>	<u>\$0</u>

Explanation of Estimate:

LB 702 creates a Campus Safety Officer within the commission to assist any postsecondary institution with a physical presence in Nebraska that provides postsecondary education and is exempt from the Private Postsecondary Career School Act with implementing the Campus Safety Act.

As required by LB 702, this position must have experience in public safety policy, which the commission believes would require an individual with legal education and/or substantial law enforcement experience as well as knowledge of relevant federal laws and regulations, campus culture and organization, and victim services. This position will assist institutions in promoting safety from dating violence, domestic violence, sexual assault, and stalking at postsecondary institutions and also coordinate and disseminate best practices, training opportunities, and other resources to these institutions.

The commission reviewed public safety positions at the University of Nebraska as well as a recent posting for a Title IX director within the state college system to arrive at a salary estimate. The commission assumed funding would be provided from the General fund.

BREAKDOWN BY MAJOR OBJECTS OF EXPENDITURE

Personal Services:

<u>POSITION TITLE</u>	<u>NUMBER OF POSITIONS</u>		<u>2019-20</u>	<u>2020-21</u>
	<u>19-20</u>	<u>20-21</u>	<u>EXPENDITURES</u>	<u>EXPENDITURES</u>
Public Safety Officer	1.0	1.0	80,000	81,600
Benefits.....			33,500	34,800
Operating.....			960	960
Travel.....			3,000	3,000
Capital outlay.....				
Aid.....				
Capital improvements.....				
TOTAL.....			<u>117,460</u>	<u>120,360</u>

Please complete ALL (5) blanks in the first three lines.

2019

LB⁽¹⁾ 702

FISCAL NOTE

State Agency OR Political Subdivision Name: ⁽²⁾ Nebraska State College System (NSCS)

Prepared by: ⁽³⁾ Carolyn Murphy Date Prepared: ⁽⁴⁾ 01/29/2018 Phone: ⁽⁵⁾ 402-471-2505

ESTIMATE PROVIDED BY STATE AGENCY OR POLITICAL SUBDIVISION

	<u>FY 2019-20</u>		<u>FY 2020-21</u>	
	<u>EXPENDITURES</u>	<u>REVENUE</u>	<u>EXPENDITURES</u>	<u>REVENUE</u>
GENERAL FUNDS	<u>230,241</u>	<u> </u>	<u>230,241</u>	<u> </u>
CASH FUNDS	<u> </u>	<u> </u>	<u> </u>	<u> </u>
FEDERAL FUNDS	<u> </u>	<u> </u>	<u> </u>	<u> </u>
OTHER FUNDS	<u> </u>	<u> </u>	<u> </u>	<u> </u>
TOTAL FUNDS	<u><u>230,241</u></u>	<u><u> </u></u>	<u><u>230,241</u></u>	<u><u> </u></u>

Explanation of Estimate:

LB702 adopts the Campus Safety Act. The estimated fiscal impact is as follows:

The bill requires that the Colleges have an advisor or support person. In addition, there is also required that the Colleges have confidential resource advisors. The NSCS estimates that, between these two requirements, there is a need for 1.0 FTE staff at each College at an estimated \$44,807 plus benefits of \$24,230 for a total impact of \$69,037 x 3.0 FTE = \$207,111.

LB702 provides for mandatory training for newly enrolled students and newly hired employees. In addition, the bill requires a systematized plan. The NSCS believes both of these requirements can be met through the loading of additional responsibilities to existing staff. The NSCS anticipates this will require approximately \$20,000 in additional pay plus \$3,130 in related benefits for the increased workload. Total impact for this paragraph is \$23,130.

The total annual impact from the paragraphs above is \$230,241.

Finally, there are additional undetermined fiscal impacts. These include the cost of adding Title IX requirements to employees as well as students. Such a change increases liability for the NSCS, which may be outside of existing insurance coverages. There is also language requiring the NSCS to include information on its website on where an individual may request a sexual assault evidence collection kit, information on transportation options and on reimbursement of costs. The bill is unclear as to what costs, if any, the NSCS must reimburse to an individual.

BREAKDOWN BY MAJOR OBJECTS OF EXPENDITURE

Personal Services:

<u>POSITION TITLE</u>	<u>NUMBER OF POSITIONS</u>		<u>2019-20</u>	<u>2020-21</u>
	<u>19-20</u>	<u>20-21</u>	<u>EXPENDITURES</u>	<u>EXPENDITURES</u>
Licensed Student Counselor	<u>3.0</u>	<u>continue</u>	<u>134,421</u>	<u>134,421</u>
Pay Adj. for Additional Responsibilities	<u>0.0</u>	<u>continue</u>	<u>20,000</u>	<u>20,000</u>
Benefits.....			<u>75,820</u>	<u>75,820</u>
Operating.....			<u> </u>	<u> </u>
Travel.....			<u> </u>	<u> </u>

Capital outlay.....	<u> </u>	<u> </u>
Aid.....	<u> </u>	<u> </u>
Capital improvements.....	<u> </u>	<u> </u>
TOTAL.....	<u> 230,241 </u>	<u> 230,241 </u>

Please complete ALL (5) blanks in the first three lines.

2019

LB⁽¹⁾ 702

FISCAL NOTE

State Agency OR Political Subdivision Name: ⁽²⁾ University of Nebraska

Prepared by: ⁽³⁾ Michael Justus Date Prepared: ⁽⁴⁾ January 31, 2019 Phone: ⁽⁵⁾ 402-472-7109

ESTIMATE PROVIDED BY STATE AGENCY OR POLITICAL SUBDIVISION

	<u>FY 2019-20</u>		<u>FY 2020-21</u>	
	<u>EXPENDITURES</u>	<u>REVENUE</u>	<u>EXPENDITURES</u>	<u>REVENUE</u>
GENERAL FUNDS	<u>723,000</u>	<u> </u>	<u>703,000</u>	<u> </u>
CASH FUNDS	<u> </u>	<u> </u>	<u> </u>	<u> </u>
FEDERAL FUNDS	<u> </u>	<u> </u>	<u> </u>	<u> </u>
OTHER FUNDS	<u> </u>	<u> </u>	<u> </u>	<u> </u>
TOTAL FUNDS	<u>723,000</u>	<u> </u>	<u>703,000</u>	<u> </u>

Explanation of Estimate:

LB 702 creates the Campus Safety Act. Each campus will need resources to develop and produce website and print materials, for tracking, reporting, developing MOU's, policy development and monitoring and training.

The language does not restrict physical location to University property or sponsored events, but is expanded to near-campus and off-campus locations. Additionally, some language in the bill is contradictory to the proposed regulations set out by the U.S. Department of Education.

BREAKDOWN BY MAJOR OBJECTS OF EXPENDITURE

Personal Services:

<u>POSITION TITLE</u>	<u>NUMBER OF POSITIONS</u>		<u>2019-20</u>	<u>2020-21</u>
	<u>19-20</u>	<u>20-21</u>	<u>EXPENDITURES</u>	<u>EXPENDITURES</u>
Campus Safety Officer	<u>1.0</u>	<u>1.0</u>	<u>50,000</u>	<u>50,000</u>
Title IX Generalist	<u>1.75</u>	<u>1.75</u>	<u>105,000</u>	<u>105,000</u>
Confidential Resource Advisor	<u>.5</u>	<u>.5</u>	<u>30,000</u>	<u>30,000</u>
Title IX Investigator	<u>2.0</u>	<u>2.0</u>	<u>136,000</u>	<u>136,000</u>
Benefits.....			<u>90,000</u>	<u>90,000</u>
Operating.....			<u>292,100</u>	<u>272,100</u>
Travel.....			<u>20,000</u>	<u>20,000</u>
Capital outlay.....			<u> </u>	<u> </u>
Aid.....			<u> </u>	<u> </u>
Capital improvements.....			<u> </u>	<u> </u>
TOTAL.....			<u>723,000</u>	<u>703,000</u>

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2019

LB⁽¹⁾ 702

FISCAL NOTE

State Agency OR Political Subdivision Name: ⁽²⁾ Metropolitan Community College

Prepared by: ⁽³⁾ Gordon Jensen Date Prepared: ⁽⁴⁾ 1/31/2019 Phone: ⁽⁵⁾ 531-622-2394

ESTIMATE PROVIDED BY STATE AGENCY OR POLITICAL SUBDIVISION

	<u>FY 2019-20</u>		<u>FY 2020-21</u>	
	<u>EXPENDITURES</u>	<u>REVENUE</u>	<u>EXPENDITURES</u>	<u>REVENUE</u>
GENERAL FUNDS	<u>31,800</u>	<u> </u>	<u>31,800</u>	<u> </u>
CASH FUNDS	<u> </u>	<u> </u>	<u> </u>	<u> </u>
FEDERAL FUNDS	<u> </u>	<u> </u>	<u> </u>	<u> </u>
OTHER FUNDS	<u> </u>	<u> </u>	<u> </u>	<u> </u>
TOTAL FUNDS	<u>31,800</u>	<u> </u>	<u>31,800</u>	<u> </u>

Explanation of Estimate:

Estimate of additional training and staffing costs.

BREAKDOWN BY MAJOR OBJECTS OF EXPENDITURE

Personal Services:

<u>POSITION TITLE</u>	<u>NUMBER OF POSITIONS</u>		<u>2019-20</u>	<u>2020-21</u>
	<u>19-20</u>	<u>20-21</u>	<u>EXPENDITURES</u>	<u>EXPENDITURES</u>
Benefits.....	<u> </u>	<u> </u>	<u> </u>	<u> </u>
Operating.....	<u> </u>	<u> </u>	<u> </u>	<u> </u>
Travel.....	<u> </u>	<u> </u>	<u> </u>	<u> </u>
Capital outlay.....	<u> </u>	<u> </u>	<u> </u>	<u> </u>
Aid.....	<u> </u>	<u> </u>	<u> </u>	<u> </u>
Capital improvements.....	<u> </u>	<u> </u>	<u> </u>	<u> </u>
TOTAL.....	<u> </u>	<u> </u>	<u> </u>	<u> </u>

Please complete ALL (5) blanks in the first three lines.

2019

LB⁽¹⁾ 702

FISCAL NOTE

State Agency OR Political Subdivision Name: ⁽²⁾ Nebraska Community College Association

Prepared by: ⁽³⁾ Greg Adams Date Prepared: ⁽⁴⁾ 1/30/2019 Phone: ⁽⁵⁾ 4024714685

ESTIMATE PROVIDED BY STATE AGENCY OR POLITICAL SUBDIVISION

	<u>FY 2019-20</u>		<u>FY 2020-21</u>	
	<u>EXPENDITURES</u>	<u>REVENUE</u>	<u>EXPENDITURES</u>	<u>REVENUE</u>
GENERAL FUNDS	<u>\$305,500</u>	<u> </u>	<u> </u>	<u> </u>
CASH FUNDS	<u> </u>	<u> </u>	<u> </u>	<u> </u>
FEDERAL FUNDS	<u> </u>	<u> </u>	<u> </u>	<u> </u>
OTHER FUNDS	<u> </u>	<u> </u>	<u> </u>	<u> </u>
TOTAL FUNDS	<u>\$305,500</u>	<u> </u>	<u> </u>	<u> </u>

Explanation of Estimate:

The provisions in LB 702 increase the training, reporting, and compliance obligations of each college. Therefore, an additional staff person most probably would be required. The above estimate assumes an additional staff person at an average salary of \$47,000 per year + benefits at an average of 30% of salary, multiplied by five community colleges. Other possible costs associated with the MOU and agreements with outside agencies are too difficult to determine.

BREAKDOWN BY MAJOR OBJECTS OF EXPENDITURE

Personal Services:

<u>POSITION TITLE</u>	<u>NUMBER OF POSITIONS</u>		<u>2019-20 EXPENDITURES</u>	<u>2020-21 EXPENDITURES</u>
	<u>19-20</u>	<u>20-21</u>		
Assistant Title IX Coordinator/Compliance Officer	<u>5</u>	<u> </u>	<u>\$235,000</u>	<u> </u>
Benefits.....	<u> </u>	<u> </u>	<u>\$70,500</u>	<u> </u>
Operating.....	<u> </u>	<u> </u>	<u> </u>	<u> </u>
Travel.....	<u> </u>	<u> </u>	<u> </u>	<u> </u>
Capital outlay.....	<u> </u>	<u> </u>	<u> </u>	<u> </u>
Aid.....	<u> </u>	<u> </u>	<u> </u>	<u> </u>
Capital improvements.....	<u> </u>	<u> </u>	<u> </u>	<u> </u>
TOTAL.....	<u> </u>	<u> </u>	<u>\$305,500</u>	<u> </u>