Fiscal Estimate - 2021 Session

☒ Original   ☐ Updated   ☐ Corrected   ☐ Supplemental

LRB Number 21-3707/1	Introduction Number SB-411

Description
anti-racism and anti-sexism pupil instruction and anti-racism and anti-sexism training for employees of school districts and independent charter schools

Fiscal Effect

State:
☐ No State Fiscal Effect
☒ Indeterminate

☐ Increase Existing Appropriations
☐ Decrease Existing Appropriations
☐ Create New Appropriations

☐ Increase Existing Revenues
☐ Decrease Existing Revenues

☐ Increase Costs - May be possible to absorb within agency's budget
     ☐ Yes   ☐ No
☐ Decrease Costs

Local:
☐ No Local Government Costs
☒ Indeterminate

1. ☐ Increase Costs
     ☐ Permissive ☐ Mandatory
2. ☐ Decrease Costs
     ☐ Permissive ☐ Mandatory

3. ☐ Increase Revenue
     ☐ Permissive ☐ Mandatory
4. ☐ Decrease Revenue
     ☐ Permissive ☐ Mandatory

5. Types of Local Government Units Affected
☐ Towns   ☐ Village   ☐ Cities
☐ Counties   ☐ Others
☐ School Districts   ☐ WTCS Districts

Fund Sources Affected   **Affected Ch. 20 Appropriations**
☐ GPR   ☐ FED   ☐ PRO   ☐ PRS   ☐ SEG   ☐ SEGS

Agency/Prepared By	Authorized Signature	Date
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LRB Number 21-3707/1	Introduction Number **SB-411**	Estimate Type **Original**

Description
anti-racism and anti-sexism pupil instruction and anti-racism and anti-sexism training for employees of school districts and independent charter schools

Assumptions Used in Arriving at Fiscal Estimate

This bill prohibits race or sex stereotyping in 1) instruction provided to pupils in school districts and independent charter schools (collectively, local education agencies - LEAs); and 2) training provided to employees of LEAs. Under the bill, an LEA is prohibited from allowing a teacher to teach pupils race or sex stereotyping in any course or as part of any curriculum and is prohibited from requiring an employee to attend a training that teaches, advocates, acts upon, or promotes race or sex stereotyping.

The bill provides that if the state superintendent of public instruction (SSPI) determines that an LEA is in violation of the bill's provisions, the SSPI must provide notice to the LEA; if, after 10 days of notification by the SSPI, the LEA is determined to still be in violation of the bill's provisions, the SSPI is required, under the bill, to withhold 10 percent of state general aid from the LEA. The bill provides that if a determination is made that the LEA becomes compliant with the bill's provisions, the SSPI must cease withholding state aid to the LEA (but the bill does not specify that previously withheld aid be returned to the LEA).

The bill provides that a parent or guardian of a student may bring a claim against a school district or operator of a charter school for violation of the prohibitions.

The bill also requires school boards to post all curricula used in the school district on the school district's Internet site and, if a school board maintains an Internet site for an individual school, on the individual school's Internet site. The same requirement would apply to any independent charter school that maintains an Internet site. Under the bill, upon request, a school board or independent charter school operator must provide a printed copy of any curriculum that it is required to post on its Internet site, at no cost to the requestor.

State: Indeterminate

Under this bill, the state superintendent has the authority to withhold general aid to school districts. If general aid is withheld, the monies lapse to the state's general fund. The amount of state aid that would be withheld from LEAs as a result of this bill cannot reasonably be projected.

Local: Indeterminate

Posting all the curriculum used by every teacher in a school district (school) on the district's (school's) Internet site, as required by the bill, would pose a significant administrative burden on staff (i.e., time required to scan, upload, and organize materials, as well as IT maintenance time/costs). The requirement that an LEA produce printed copies of curriculum, at the request of and at no cost to the individual requesting it, would require additional time from staff and require the LEA to absorb the costs associated with printing the information.

Further, posting the curriculum used by all teachers within the school or school district might be found in violation of copyright law, which could result in legal action against a district, forcing a school board to divert resources intended for general school operations to legal expenses.

Long-Range Fiscal Implications