

Fiscal Estimate - 2021 Session

Original
 Updated
 Corrected
 Supplemental

LRB Number 21-3687/1	Introduction Number SB-463
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Description
 requiring school boards to make information about learning materials and educational activities used for pupil instruction available to the public

Fiscal Effect

State:

<input type="checkbox"/> No State Fiscal Effect	<input type="checkbox"/> Increase Existing Revenues	<input type="checkbox"/> Increase Costs - May be possible to absorb within agency's budget
<input type="checkbox"/> Indeterminate	<input type="checkbox"/> Decrease Existing Revenues	<input type="checkbox"/> Yes <input type="checkbox"/> No
<input type="checkbox"/> Increase Existing Appropriations		<input type="checkbox"/> Decrease Costs
<input type="checkbox"/> Decrease Existing Appropriations		
<input type="checkbox"/> Create New Appropriations		

Local:

<input type="checkbox"/> No Local Government Costs	5. Types of Local Government Units Affected	
<input checked="" type="checkbox"/> Indeterminate	<input type="checkbox"/> Towns <input type="checkbox"/> Village <input type="checkbox"/> Cities <input type="checkbox"/> Counties <input type="checkbox"/> Others <input checked="" type="checkbox"/> School Districts <input type="checkbox"/> WTCS Districts	
1. <input type="checkbox"/> Increase Costs	3. <input type="checkbox"/> Increase Revenue	
<input type="checkbox"/> Permissive <input type="checkbox"/> Mandatory	<input type="checkbox"/> Permissive <input type="checkbox"/> Mandatory	
2. <input type="checkbox"/> Decrease Costs	4. <input type="checkbox"/> Decrease Revenue	
<input type="checkbox"/> Permissive <input type="checkbox"/> Mandatory	<input type="checkbox"/> Permissive <input type="checkbox"/> Mandatory	

Fund Sources Affected	Affected Ch. 20 Appropriations
<input type="checkbox"/> GPR <input type="checkbox"/> FED <input type="checkbox"/> PRO <input type="checkbox"/> PRS <input type="checkbox"/> SEG <input type="checkbox"/> SEGS	

Agency/Prepared By DPI/ Erin Fath (608) 266-2804	Authorized Signature Erin Fath (608) 266-2804	Date 8/8/2021
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Fiscal Estimate Narratives

DPI 8/8/2021

LRB Number	21-3687/1	Introduction Number	SB-463	Estimate Type	Original
Description requiring school boards to make information about learning materials and educational activities used for pupil instruction available to the public					

Assumptions Used in Arriving at Fiscal Estimate

This bill requires each school board to post on the home page of its Internet site information related to learning materials and educational activities used in pupil instruction in the school district and any procedure or policy in effect that applies to the documentation, review, or approval of such learning materials or educational activities. Under the bill, "used in pupil instruction" means that a learning material or educational activity is:

- 1) assigned, distributed, or otherwise presented to pupils in a course for which pupils receive credit,
- 2) assigned, distributed, or otherwise presented to pupils if use of the learning material or participation in the educational activity is required by the school,
- 3) assigned, distributed, or otherwise presented to pupils and at least a majority of pupils in a grade level are expected to use the learning material or participate in the educational activity,
- 4) among learning materials from which pupils are required to select one or more materials, if the available selection of learning materials is restricted to specific titles, or
- 5) created by the school board or a teacher employed by the school board, including lesson plans, presentations, and videos.

The bill requires each school board to include in its list of learning materials and educational activities:

- 1) bibliographic information necessary to identify each listed learning material and educational activity,
- 2) the full text or a copy of a learning material or educational activity created by the school board or a teacher employed by the school board, and
- 3) a link to curricula adopted by the school board to comply with state law.

Under the bill, a school board must update the list of learning materials and educational activities at least twice each school year and must notify parents and guardians each time the list is updated. The bill specifies that one update must occur before the start of the school term and one update must occur before January 15 of the applicable school year. The bill also requires the school board to ensure that the list remains available to the public on its Internet site for at least five years.

Finally, the bill allows a school district resident to bring an action in circuit court to compel a school board to comply with the requirements created in this bill. Under the bill, the court must award reasonable attorney's fees, up to \$15,000, to the school district resident if they prevail in the action.

Local Impact: Indeterminate

This bill would impose a significant administrative burden on school districts in order to be in compliance with the posting, updating, and notification requires in the bill. The bill does not appropriate any resources to school boards to meet the administrative requirements under the bill, so it is assumed that meeting the requirements in this bill would be assumed by existing school district resources. However, each school district can expect to direct additional resources and staff time in order to organize, scan, upload, and maintain all learning materials and educational activities used for pupil instruction on its Internet site.

Further, the bill allows a school district resident to bring an action in circuit court to compel a school board to comply with the requirements created in this bill, thus, there is the potential legal cases may arise from this bill, which would cause school boards to divert monies towards legal actions. The local impact as a result of this bill is therefore indeterminate.

Long-Range Fiscal Implications