

**FISCAL ESTIMATE FORM**

**1999 Session**

- ORIGINAL
- CORRECTED
- UPDATED
- SUPPLEMENTAL

**LRB #-0195/3**

**Introduction # Assembly Bill 433**

**Admin. Rule #**

**Subject** The use of ethnic names, nicknames, logos and mascots by school boards, granting rule-making authority and providing a penalty.

**Fiscal Effect Indeterminable**

State:  No State Fiscal Effect

Check columns below only if bill makes a direct appropriation or affects a sum sufficient appropriation.

- Increase Existing Appropriation
- Decrease Existing Appropriation
- Create New Appropriation
- 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 **Indeterminable**

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

3.  Increase Revenues
- Permissive  Mandatory
4.  Decrease Revenues
- Permissive  Mandatory

5. Types of Local Governmental Units Affected:
- Towns  Villages  Cities
  - Counties  Others \_\_\_\_\_
  - School Districts  WTCS Districts

**Fund Sources Affected**

- GPR  FED  PRO  PRS  SEG

SEG-S

**Affected Ch. 20 Appropriations**

**Assumptions Used in Arriving at Fiscal Estimate:**

This bill provides that a school district resident may object to a school board's use of an ethnic name, nickname, logo or mascot by filing a complaint with the state superintendent of public instruction. The state superintendent must schedule a hearing on the complaint, at which the school board has the burden of proving by clear and convincing evidence that the use of the ethnic name, nickname, logo or mascot does not promote discrimination, pupil harassment or stereotyping. If the state superintendent finds in favor of the complainant, the state superintendent must order the school board to terminate its use of the ethnic name, nickname, logo or mascot within 12 months after issuance of the order. A school board is subject to a forfeiture of not less than \$100 nor more than \$1,000 for each day that it uses the ethnic name, nickname, logo or mascot in violation of the order. The decision of the state superintendent is subject to circuit court review.

There are approximately 45 schools in the state that currently use American Indian names, nicknames, logos or mascots, the most likely entities to be affected by this bill. If required to terminate the use of the ethnic name, nickname, logo or mascot, costs to a school district would be related to the replacement of existing supplies, team uniforms and associated inventory that currently bear the name, nickname, mascot or logo, and would vary from district to district. Because it is unknown how many, if any, residents of these districts will file complaints, and how many hearings in which the state superintendent finds for the complainant, local costs are indeterminable.

It is also unknown how many, if any, school districts will not terminate the use of an ethnic name, nickname, logo or mascot if ordered to do so. These districts would be subject to a \$100 to \$1,000 forfeiture for each day that they did not comply with the order to terminate. Because it is unknown how many days the forfeiture would be imposed, and because the forfeiture may be anywhere between \$100 and \$1,000, local costs related to this provision of the bill are indeterminable.

Costs to the department are related to the number of appeals brought before the state superintendent. Because it is unknown how many, if any, appeals would be made, these costs are indeterminable.

**Long-Range Fiscal Implications:**

**Prepared By: (Name & Phone # / Agency Name)**

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**Date**

8/27/99