

Fiscal Estimate Narratives

DPI 7/24/2007

LRB Number	07-2658/1	Introduction Number	AB-0428	Estimate Type	Original
Description The implementation and administration of federal education laws					

Assumptions Used in Arriving at Fiscal Estimate

With the following exceptions, this bill is identical to 2007 Assembly Bill 317:

- This bill does not require each school board to resolve conflicts between provisions of federal education laws and state laws; to give priority to meeting state goals, program needs, and accountability requirements; and to request a waiver from the federal No Child Left Behind (NCLB) Act if certain criteria are met. The department is still required to do these things.
- This bill eliminates the provision in AB 317 that requires the parents, in conjunction with the appropriate school officials, to determine which provision best meets the education needs of a child with a disability if a provision of the NCLB Act conflicts with the Individuals with Disabilities Education Act.

The provisions under this bill that may have a fiscal effect on the department and school districts are as follows:

- The bill requires the department to resolve conflicts between provisions of federal education laws and state laws.

State - The department has and will continue to analyze any newly authorized federal education laws to determine their impact on school districts and state requirements. There is no state fiscal effect.

Local – There is no local fiscal effect.

- The bill requires the department to give priority to meeting state goals, program needs, and accountability requirements.

State and Local - This provision has the potential to have a significant state and local fiscal effect. If a state/school district receives federal funds, such funds are earmarked for specific federal program activities and may not be used at the department's/school district's discretion, including giving priority to meet state goals, program needs, and accountability requirements. Improper use of federal funds may cause the state/school district to lose those funds. The amount lost in federal funds is indeterminate, but Wisconsin receives over \$285 million in federal NCLB funds.

- Although Section 9527 of the NCLB Act [20 USC 7907 (a)] specifies that grant recipients may not be required to modify curriculum or program of instruction and are not required to use state or local funds to carry out the provisions under the Act, the bill requires the department to determine whether any of these provisions occurred and to request a waiver if these provisions occurred.

State and Local - Determining whether the Act required the department or school districts to expend state or local resources in order to comply with the Act or whether the Act required the department or school districts to modify any curriculum or program of instruction would require a study on the part of the department and responses from each school district. If federal funds could not be used, state funds would be necessary to develop and report on the study's findings. These costs are indeterminate.

Long-Range Fiscal Implications