

Fiscal Estimate Narratives

DPI 8/10/2011

LRB Number	11-2153/1	Introduction Number	SB-124	Estimate Type	Original
Description Delaying the date by which school districts must comply with certain orders related to terminating the use of a race-based nickname, logo, mascot, or team name.					

Assumptions Used in Arriving at Fiscal Estimate

Under current law, a school district resident may object to the use of a race-based nickname, logo, mascot, or team name (mascot) by the school board of the district and may obtain a hearing before the state superintendent on the school board's use of the mascot. At the hearing, the school board must prove by clear and convincing evidence that the use of the mascot does not promote discrimination, pupil harassment, or stereotyping, as defined by the state superintendent by rule. If the state superintendent finds that the school board's use of the mascot promotes discrimination, pupil harassment, or stereotyping, the state superintendent must order the school board to terminate its use and the school board must, with limited exceptions, do so within 12 months after the school board receives the order. Under certain circumstances, the state superintendent may grant an extension of not more than 24 months to the school board to comply with the order. Failure of a school board to comply with the decision and order subjects the school board to forfeitures.

This bill permits any school district that is subject to a decision and order issued before the effective date of the bill to delay compliance with that decision and order until November 1, 2012.

Local: If districts are found to have a team name, logo, or mascot that is discriminating, harassing or stereotypical, school districts will incur expenditures to do the necessary maintenance and make related expenditures to change them (2009 WI Act 250). SB 124 simply pushes back the date by which districts need to be in compliance. The costs will be there, regardless. This bill, however, would allow districts needing to comply with an order to change their team name, logo, or mascot to spread out the costs across fiscal years as a means to keep the costs from hitting all in one school year. It is not expected that delaying the date for compliance will result in any more or less costs to the school district.

2009 WI Act 250 nor 2011 SB 124 discuss which funds must be used by the district to pay such maintenance costs. Therefore, districts can use whatever funds they choose to use, including a district's fund balance.

State: There would be no state fiscal effect.

Long-Range Fiscal Implications