

LEGISLATIVE FISCAL OFFICE
Fiscal Note



Fiscal Note On: **SB 52** SLS 19RS 205

Bill Text Version: **ORIGINAL**

Opp. Chamb. Action:

Proposed Amd.:

Sub. Bill For.:

Date: April 10, 2019	9:32 AM	Author: MORRISH
Dept./Agy.: Education		Analyst: Jodi Mauroner
Subject: Textbooks		

BESE OR SEE FISC NOTE LF RV Page 1 of 1
Provides relative to the review of textbooks and other instructional materials. (gov sig)

Present law requires the state Board of Elementary and Secondary Education (BESE) to establish a process for the review, adoption, procurement, and distribution of free textbooks and other instructional materials used at the elementary and secondary level. Requires each public school governing authority to adopt policies for adoption and use of textbooks and other instructional materials that have not been reviewed by the Department of Education (DOE). Proposed law requires that the school governing authorities establish evaluation criteria and procedures by which the review committee shall determine the extent to which textbooks align with the state content standards. Further provides that those textbooks and instructional materials which have not been reviewed by the DOE but have been reviewed by the governing authority and deemed aligned with state standards be given equal weight by the DOE in all matters, including determination of eligibility for federal or state funding. Effective upon governor's signature.

EXPENDITURES	2019-20	2020-21	2021-22	2022-23	2023-24	5 -YEAR TOTAL
State Gen. Fd.	\$0	\$0	\$0	\$0	\$0	\$0
Agy. Self-Gen.	\$0	\$0	\$0	\$0	\$0	\$0
Ded./Other	\$0	\$0	\$0	\$0	\$0	\$0
Federal Funds	\$0	\$0	\$0	\$0	\$0	\$0
Local Funds	SEE BELOW					
Annual Total						

REVENUES	2019-20	2020-21	2021-22	2022-23	2023-24	5 -YEAR TOTAL
State Gen. Fd.	\$0	\$0	\$0	\$0	\$0	\$0
Agy. Self-Gen.	\$0	\$0	\$0	\$0	\$0	\$0
Ded./Other	\$0	\$0	\$0	\$0	\$0	\$0
Federal Funds	\$0	\$0	\$0	\$0	\$0	\$0
Local Funds	SEE BELOW					
Annual Total						

EXPENDITURE EXPLANATION

There is an indeterminable impact to local school districts as a result of this measure. The LFO cannot determine whether districts would be able to acquire curriculum materials at a cost more or less than what is currently being expended.

The Department of Education (LDE) classifies textbooks and instructional materials into three tiers. Materials rated Tier 1 or Tier 2 by the state-review process may be purchased under the authority of a state contract through the central depository or the publisher directly. The LDE has negotiated contract pricing with these publishers. Tier 3 materials not under state contract must be awarded based on a competitive basis and follow certain publisher agreements. Textbooks and instructional materials approved at the local level have no Minimum Foundation Program (MFP) funding restrictions, so local school systems may purchase materials based on their local needs. They are not bound by a state list of recommended or approved textbooks and instructional materials.

REVENUE EXPLANATION

There may be an increase in revenues for local school districts. The LFO cannot determine whether the proposed legislation allows the districts to meet the criteria utilized by the LDE to distribute certain funds, and whether districts will become eligible.

The LDE stated it does not provide funding specifically for the purpose of curriculum purchases. However, per the 2019-2020 School System Planning Guide, school systems may request competitive funds to support the purchase of new Tier 1 curriculum materials at schools in need of improvement. In 2017-2018, as part of \$31.7 M in federal funds distributed to support high quality improvement plans, an average allocation of \$33,000 was awarded to certain schools to support the purchase of new Tier 1 curriculum materials.

The Every Student Succeeds Act (ESSA) requires states to identify struggling schools, (labeled CIR or UIR by LDE), which are required to develop a plan for improvement. Schools may choose to request funding to support the implementation of these plans, as approved by the LDE. These plans include, but are not limited to, the use of new standards-aligned instructional materials, training for teachers, support for teacher leaders, and principal development. Per the LDE, the restriction on the use of funds to purchase only Tier 1 curricula exists only for the above referenced competitive funding, as it is specifically reserved, per ESSA, to support improvement in schools identified as CIR/UIR. ESSA requires that schools which have been identified for improvement and which receive school improvement funds include evidence-based activities, strategies, and interventions in their school improvement plans. School improvement funds can only be used to support activities that meet the top three tiers of evidence as defined in ESSA.

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| <u>Senate</u> | <u>Dual Referral Rules</u> | <u>House</u> |
| <input type="checkbox"/> 13.5.1 >= \$100,000 Annual Fiscal Cost {S & H} | | <input type="checkbox"/> 6.8(F)(1) >= \$100,000 SGF Fiscal Cost {H & S} |
| <input type="checkbox"/> 13.5.2 >= \$500,000 Annual Tax or Fee Change {S & H} | | <input type="checkbox"/> 6.8(G) >= \$500,000 Tax or Fee Increase or a Net Fee Decrease {S} |

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