

**LEGISLATIVE SERVICES AGENCY
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FISCAL IMPACT STATEMENT

LS 6807

BILL NUMBER: HB 1228

NOTE PREPARED: Dec 30, 2021

BILL AMENDED:

SUBJECT: Education Matters.

FIRST AUTHOR: Rep. Lindauer

FIRST SPONSOR:

BILL STATUS: As Introduced

FUNDS AFFECTED: **GENERAL**
 DEDICATED
 FEDERAL

IMPACT: State & Local

Summary of Legislation: *Curriculum and Training:* This bill provides that a teacher, administrator, or other employee of a school corporation or charter school shall not require or make part of a course certain concepts related to race or sex. It provides that a student enrolled at a state educational institution shall not be required to engage in any form of mandatory gender or sexual diversity training or counseling. It also provides that any orientation or requirement that presents any form of race or sex stereotyping or a bias on the basis of race or sex is prohibited.

Student Analysis, Evaluation, or Survey: This bill provides that a student shall not be required to participate in a personal analysis, an evaluation, or a survey that is established or administered by: (1) a school corporation; (2) a school; (3) the Department of Education (DOE); or (4) a third party vendor of a school corporation, a school, or the DOE; without the prior consent of the student if the student is an adult or an emancipated minor or the prior written consent of the student's parent if the student is an unemancipated minor. (Current law provides that a student shall not be required to participate in a personal analysis, an evaluation, or a survey that is not directly related to academic instruction and that reveals or attempts to affect the student's attitudes, habits, traits, opinions, beliefs, or feelings concerning certain matters without the prior consent of the student if the student is an adult or an emancipated minor or the prior written consent of the student's parent if the student is an unemancipated minor.) It also establishes certain requirements for a personal analysis, evaluation, or survey collected by or shared with a third party vendor.

Effective Date: Upon passage; July 1, 2022.

Explanation of State Expenditures: *Curriculum and Training:* This bill identifies curriculum restrictions to which school corporations and charter schools (schools) must adhere. The State Board of Education must

adopt rules regarding these restrictions. This is within the agency's routine administrative functions and should be able to be implemented with no additional appropriations, assuming near customary agency staffing and resource levels.

This bill restricts state educational institutions (SEIs) from mandating gender or sexual diversity training or counseling for students. SEIs must also ensure that none of their orientations or requirements present any form of race or sex stereotyping or bias. These requirements are within an SEI's routine administrative functions and should be able to be implemented with no additional appropriations, assuming near customary staffing and resource levels.

Explanation of State Revenues:

Explanation of Local Expenditures: *Curriculum and Training:* Schools must ensure their curricula do not include any of the restricted concepts prescribed in this bill. Schools including any of the restricted concepts will need to update any curricula accordingly. This requirement is within a school's routine administrative functions and should be able to be implemented with no additional appropriations, assuming near customary staffing and resource levels.

Student Analysis, Evaluation, or Survey: Schools must receive parental consent for all personal analyses, evaluations, or surveys given to students (current law only requires consent when an analysis, evaluation, or survey meets specific criteria). If schools contract with a third party vendor to collect or share information of the analysis, evaluation, or survey, the school or the DOE must post on their website the terms of the contract. Schools must also ensure they meet specific requirements regarding data sharing and data privacy. These requirements are within a school's routine administrative functions and should be able to be implemented with no additional appropriations, assuming near customary staffing and resource levels.

Explanation of Local Revenues:

State Agencies Affected: State Board of Education; State educational institutions.

Local Agencies Affected: School corporations; Charter schools.

Information Sources:

Fiscal Analyst: Jason Barrett, 317-232-9809.