

February 2, 2022

The Honorable Molly Baumgardner, Chairperson
Senate Committee on Education
Statehouse, Room 144-S
Topeka, Kansas 66612

Dear Senator Baumgardner:

SUBJECT: Fiscal Note for SB 393 by Senator Tyson, et al.

In accordance with KSA 75-3715a, the following fiscal note concerning SB 393 is respectfully submitted to your committee.

SB 393 would require school districts to publish the following on the school district's website: (1) a list by grade level of instruction learning materials and activities used at each school in the preceding school year; (2) the school district's procedures to document, review, and approve the learning materials and activities; and (3) a list of all materials used for teacher professional development.

All materials and activities would be required to be maintained on the school district's website for at least one year. For digital volumes that contain works by multiple authors, the school district would be required to provide either a table of contents or a website address to the works and the authors.

Any school district that does not comply with the requirements would have a prescribed amount of state aid held by the Department of Education until the district meets the requirements. The amount of State Foundation Aid that would be withheld for the succeeding school year would be: (1) on the first violation, 2.0 percent, or \$1.0 million, whichever is less; (2) on the second violation, 4.0 percent, or \$2.0 million, whichever is less; (3) on the third violation, 6.0 percent, or \$3.0 million, whichever is less; (4) on the fourth violation, 8.0 percent, or \$4.0 million, whichever is less; and (5) on the fifth or subsequent violation, 10.0 percent, or \$5.0 million, whichever is less.

With the enactment of SB 393, the administrative requirements for the Department of Education would be performed by the agency's existing staff and any costs would be negligible. The Department notes that there would be administrative costs for school districts to implement

the provisions of the bill; however, a cost cannot be estimated. The Department would assume that school districts would likely correct any noncompliance with the publishing requirements and ultimately school districts would not lose state aid payments. Any fiscal effect associated with SB 393 is not reflected in *The FY 2023 Governor's Budget Report*.

Sincerely,

A handwritten signature in black ink, appearing to read "Adam Proffitt", with a stylized flourish at the end.

Adam Proffitt
Director of the Budget

cc: Craig Neuenswander, Education