

COMMITTEE ON LEGISLATIVE RESEARCH  
OVERSIGHT DIVISION

**FISCAL NOTE**

L.R. No.: 4674H.011  
Bill No.: HB 2008  
Subject: Education, Elementary and Secondary; Department of Elementary and Secondary  
Education  
Type: Original  
Date: March 14, 2022

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Bill Summary: This proposal establishes transparency requirements for learning materials and educational activities.

**FISCAL SUMMARY**

<b>ESTIMATED NET EFFECT ON GENERAL REVENUE FUND</b>			
<b>FUND AFFECTED</b>	<b>FY 2023</b>	<b>FY 2024</b>	<b>FY 2025</b>
<b>Total Estimated Net Effect on General Revenue</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>

<b>ESTIMATED NET EFFECT ON OTHER STATE FUNDS</b>			
<b>FUND AFFECTED</b>	<b>FY 2023</b>	<b>FY 2024</b>	<b>FY 2025</b>
<b>Total Estimated Net Effect on <u>Other</u> State Funds</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>

Numbers within parentheses: () indicate costs or losses.

<b>ESTIMATED NET EFFECT ON FEDERAL FUNDS</b>			
<b>FUND AFFECTED</b>	<b>FY 2023</b>	<b>FY 2024</b>	<b>FY 2025</b>
<b>Total Estimated Net Effect on <u>All</u> Federal Funds</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>

<b>ESTIMATED NET EFFECT ON FULL TIME EQUIVALENT (FTE)</b>			
<b>FUND AFFECTED</b>	<b>FY 2023</b>	<b>FY 2024</b>	<b>FY 2025</b>
<b>Total Estimated Net Effect on FTE</b>	<b>0</b>	<b>0</b>	<b>0</b>

- Estimated Net Effect (expenditures or reduced revenues) expected to exceed \$250,000 in any of the three fiscal years after implementation of the act or at full implementation of the act.
- Estimated Net Effect (savings or increased revenues) expected to exceed \$250,000 in any of the three fiscal years after implementation of the act or at full implementation of the act.

<b>ESTIMATED NET EFFECT ON LOCAL FUNDS</b>			
<b>FUND AFFECTED</b>	<b>FY 2023</b>	<b>FY 2024</b>	<b>FY 2025</b>
<b>Local Government</b>	<b>(Unknown)</b>	<b>(Unknown)</b>	<b>(Unknown)</b>

**FISCAL ANALYSIS**

**ASSUMPTION**

**Section 170.231 - Display Learning Material**

Officials from the **Department of Elementary and Secondary Education** and the **Office of the State Courts Administrator** each assume the proposal will have no fiscal impact on their respective organizations. **Oversight** does not have any information to the contrary. Therefore, Oversight will reflect a zero impact in the fiscal note for these agencies.

Officials from **Hazelwood School District** state it is difficult to assess the additional amount of time that would be required, and the resulting labor costs, to organize all materials in the manner being proposed. The district has approximately 1,200 teachers. Gathering individual lesson plans and then posting them in the manner described would be an enormous task. Additional staff would have to be hired just to coordinate such a requirement.

**Oversight** assumes there would be costs to school districts to collect and display all learning materials and education activities. Oversight assumes there would be costs for staff time and training as well.

Additionally, **Oversight** assumes there could be costs for legal services and attorney's fees if a district violates the provisions of this section.

<b><u>FISCAL IMPACT – State Government</u></b>	<b>FY 2023 (10 Mo.)</b>	<b>FY 2024</b>	<b>FY 2025</b>
	<b><u>\$0</u></b>	<b><u>\$0</u></b>	<b><u>\$0</u></b>

<u>FISCAL IMPACT – Local Government</u>	FY 2023 (10 Mo.)	FY 2024	FY 2025
<b>SCHOOL DISTRICTS</b>			
<u>Costs</u> - costs for collection and display of learning material as well as staff time and training - §170.231	(Unknown)	(Unknown)	(Unknown)
<u>Costs</u> - for legal costs and attorney’s fees - §170.231	\$0 or (Unknown)	\$0 or (Unknown)	\$0 or (Unknown)
<b>ESTIMATED NET EFFECT ON SCHOOL DISTRICTS</b>	<b>(Unknown)</b>	<b>(Unknown)</b>	<b>(Unknown)</b>

FISCAL IMPACT – Small Business

No direct fiscal impact to small businesses would be expected as a result of this proposal.

FISCAL DESCRIPTION

This bill provides definitions for "educational activity" and "used for pupil instruction" and requires that beginning in the 2023-24 school year that all school districts post on the school's website the learning material and educational activities that will be used for pupil instruction.

The specific format and details for all posted information is outlined in the bill and includes but is not limited to the bibliographic information for textbooks, the full text or a copy of learning material created by the school board or any teacher employed by the school board, and an Internet link to any curricula adopted by the school board.

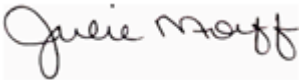
School boards must update all information at least twice per school year and provide notice to parents and guardians via website and in a written communication. All information posted must remain accessible for at least five years after the first posting date.

The bill outlines a cause of action to require that the school board comply and if any resident prevails in a cause of action the bill provides that attorney fees shall be paid up to \$15,000.

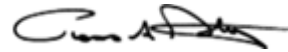
This legislation is not federally mandated, would not duplicate any other program and would not require additional capital improvements or rental space.

SOURCES OF INFORMATION

Department of Elementary and Secondary Education  
Office of the State Courts Administrator  
Hazelwood School District



Julie Morff  
Director  
March 14, 2022



Ross Strobe  
Assistant Director  
March 14, 2022