

Fiscal Estimate - 2021 Session

Original
 Updated
 Corrected
 Supplemental

LRB Number 21-1132/1	Introduction Number AB-0001
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Description
 state government actions to address the COVID-19 pandemic, extending the time limit for emergency rule procedures, providing an exemption from emergency rule procedures, and granting rule-making authority

Fiscal Effect

State:

- No State Fiscal Effect
- Indeterminate
 - Increase Existing Appropriations
 - Decrease Existing Appropriations
 - Create New Appropriations
- Increase Existing Revenues
- Decrease Existing Revenues
- Increase Costs - May be possible to absorb within agency's budget
 - Yes No
- Decrease Costs

Local:

- No Local Government Costs
- Indeterminate
 - 1. Increase Costs Permissive Mandatory
 - 2. Decrease Costs Permissive Mandatory
 - 3. Increase Revenue Permissive Mandatory
 - 4. Decrease Revenue Permissive Mandatory
- 5. Types of Local Government Units Affected
 - Towns Village Cities
 - Counties Others
 - School Districts WTCS Districts

Fund Sources Affected **Affected Ch. 20 Appropriations**

GPR FED PRO PRS SEG SEGS

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Fiscal Estimate Narratives

DPI 1/6/2021

LRB Number	21-1132/1	Introduction Number	AB-0001	Estimate Type	Original
Description state government actions to address the COVID-19 pandemic, extending the time limit for emergency rule procedures, providing an exemption from emergency rule procedures, and granting rule-making authority					

Assumptions Used in Arriving at Fiscal Estimate

This draft includes provisions affecting multiple state agencies and local entities. This Fiscal Estimate focuses on the provisions impacting K-12 schools and students.

The provisions in this draft do the following:

1. Permit residents who are enrolled in a virtual charter school to participate in interscholastic athletics and in extracurricular activities on the same basis and to the same extent as resident students who are enrolled in the school district.
2. During the 2020-21 and 2021-22 school years, prohibits the resident school district from denying the application for any reason if a pupil submits an application using the alternative application procedure and indicates the reason is for the best interests of the pupil.
3. Eliminates the current law limitation on the number of nonresident school boards to which a pupil may apply under open enrollment (three) for applications for the 2020-21 school year that are submitted under the alternative application procedure and for applications for the 2021-22 school year that are submitted under the standard or alternative application procedure.
4. Effective January 11, 2021 through the last day of the 2021-22 school year, prohibit a school board from providing virtual instruction to pupils (instead of in-person instruction) unless approved by a two-thirds vote of the school board. Additionally, each school board approval of virtual instruction is valid for 14 days and a school board may reauthorize the virtual instruction only by subsequent two-thirds votes of the school board members.
5. For the 2020-21 and 2021-22 school years, each school board must submit a report to DPI containing various information related to virtual instruction provided during the semester within 30 days after the end of each semester (including reductions or increases in expenditures due to virtual instruction), except that, for the 2021-22 school year, a school board is not required to report the information if it did not provide virtual instruction in lieu of in-person instruction. The bill requires DPI to compile and report to the legislature the information for the first semester by the following April 1 and for the second semester by the following September 1.
6. Prohibits a school district from being a member of an interscholastic athletic association in the 2021-22 school year unless, during the 2020-21 and 2021-22 school years, the association allows an exception to the association's transfer rules based on the manner in which educational programming was delivered during the 2020-21 and 2021-22 school years.

For purposes of eligibility in the 2020-21 and 2021-22 school years, the interscholastic athletic association must consider the method by which educational programming was delivered during the 2020-21 or 2021-22 school year to be an extenuating circumstance that justifies transferring schools.

Under the bill, the "method of delivering educational programming" includes virtual instruction, in-person instruction, and a combination of both virtual and in-person instruction.

Additionally, if a waiver is granted based on the method of delivering educational programming in the 2020-21 or 2021-22 school year, the association must allow the pupil to play any level of athletics, including varsity athletics.

STATE FISCAL IMPACT

No impact: the draft requires additional work of the department that would be absorbed by existing staff.

LOCAL FISCAL IMPACT

Indeterminate: to the extent the the draft would have an impact on the number of students who open enroll to a non-resident school district, there could be impacts on the open enrollment transfer amounts between school districts, but those impacts cannot be predicted and therefore, local fiscal impacts related to open enrollment are indeterminate. The draft places additional responsibilities on school boards with respect to approving virtual instruction and requires continued reporting of information related to virtual instruction to DPI. It is possible that the work would be absorbed by existing school district staff, but the department cannot project whether school district staffing (thus costs) would be impacted by complying with provisions of the draft.

Long-Range Fiscal Implications