

Multiple Agency Fiscal Note Summary

Bill Number: 1356 S HB AMS EDU S1963.1	Title: Native American names, etc.
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Estimated Cash Receipts

NONE

Agency Name	2021-23		2023-25		2025-27	
	GF- State	Total	GF- State	Total	GF- State	Total
Local Gov. Courts						
Loc School dist-SPI	Non-zero but indeterminate cost and/or savings. Please see discussion.					
Local Gov. Other						
Local Gov. Total						

Estimated Operating Expenditures

Agency Name	2021-23				2023-25				2025-27			
	FTEs	GF-State	NGF-Outlook	Total	FTEs	GF-State	NGF-Outlook	Total	FTEs	GF-State	NGF-Outlook	Total
Superintendent of Public Instruction	Non-zero but indeterminate cost and/or savings. Please see discussion.											
Total \$	0.0	0	0	0	0.0	0	0	0	0.0	0	0	0

Agency Name	2021-23			2023-25			2025-27		
	FTEs	GF-State	Total	FTEs	GF-State	Total	FTEs	GF-State	Total
Local Gov. Courts									
Loc School dist-SPI	Non-zero but indeterminate cost and/or savings. Please see discussion.								
Local Gov. Other									
Local Gov. Total									

Estimated Capital Budget Expenditures

Agency Name	2021-23			2023-25			2025-27		
	FTEs	Bonds	Total	FTEs	Bonds	Total	FTEs	Bonds	Total
Superintendent of Public Instruction	.0	0	0	.0	0	0	.0	0	0
Total \$	0.0	0	0	0.0	0	0	0.0	0	0

Agency Name	2021-23			2023-25			2025-27		
	FTEs	GF-State	Total	FTEs	GF-State	Total	FTEs	GF-State	Total
Local Gov. Courts									
Loc School dist-SPI	Non-zero but indeterminate cost and/or savings. Please see discussion.								
Local Gov. Other									
Local Gov. Total									

Estimated Capital Budget Breakout

Prepared by: Val Terre, OFM	Phone: (360) 280-3973	Date Published: Final 3/22/2021
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Individual State Agency Fiscal Note

Bill Number: 1356 S HB AMS EDU S1963.1	Title: Native American names, etc.	Agency: 350-Superintendent of Public Instruction
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Part I: Estimates

No Fiscal Impact

Estimated Cash Receipts to:

NONE

Estimated Operating Expenditures from:

Non-zero but indeterminate cost and/or savings. Please see discussion.

Estimated Capital Budget Impact:

NONE

The cash receipts and expenditure estimates on this page represent the most likely fiscal impact. Factors impacting the precision of these estimates, and alternate ranges (if appropriate), are explained in Part II.

Check applicable boxes and follow corresponding instructions:

- If fiscal impact is greater than \$50,000 per fiscal year in the current biennium or in subsequent biennia, complete entire fiscal note form Parts I-V.
- If fiscal impact is less than \$50,000 per fiscal year in the current biennium or in subsequent biennia, complete this page only (Part I).
- Capital budget impact, complete Part IV.
- Requires new rule making, complete Part V.

Legislative Contact: Jeffrey Naas	Phone: 360-786-7708	Date: 03/17/2021
Agency Preparation: Tisha Kuhn	Phone: 360 725-6424	Date: 03/22/2021
Agency Approval: Mike Woods	Phone: 360 725-6283	Date: 03/22/2021
OFM Review: Val Terre	Phone: (360) 280-3973	Date: 03/22/2021

Part II: Narrative Explanation

II. A - Brief Description Of What The Measure Does That Has Fiscal Impact

Briefly describe by section number, the significant provisions of the bill, and any related workload or policy assumptions, that have revenue or expenditure impact on the responding agency.

Changes compared to SHB 1356

Section 3 (New Section):

Section 3(1): Requires OSPI to create a grant program that provides financial assistance to school districts to support schools that incur costs as a result of a Native American name, symbol, or image change.

Section 3(2): Lists eligible costs that the grant funding provided under this section to include, but not limited to:

1. Uniforms and equipment used by a team, band, cheer squad, or other extracurricular activity;
2. School signage, including reader boards and score boards;
3. Floor designs in gymnasiums or other flooring or surfaces;
4. School spirit score supplies and items; and
5. School web pages.

Section 3(3): Encourages OSPI to incentivize schools that use Native American names, symbols, or images as school mascots, logos, or team names to select a new mascot, logo, or team name by September 1, 2021.

Section 3(4): Section expires on August 31, 2023.

Section 4 (New Section): Adds a null and void clause if specific funding for the purposes of chapter 3 of the act, referencing section 3 of this act by bill or chapter number and section number is not provided by June 30, 2021, in the omnibus appropriations act.

Summary of 1356-S AMS EDU S1963.1:

Section 1 (New Section):

Section 1(4): Legislature recognizes that no school has a cognizable interest in retaining a racially derogatory or discriminatory school mascot, logo, or team name and intends to prohibit the inappropriate use of Native American names, symbols, or images for those purposes.

Section 2 (New Section):

Section 2(1): Except as provided other by this section, beginning January 1, 2022, public schools may not use Native American names, symbols, or images as school mascots, logos, or team names.

Section 2(2): Subsection (1) of this section does not apply to public schools located within, or with enrollment boundaries that include a portion of, "Indian country," as defined in 18 U.S.C. Sec. 1151, or public schools in a county that contains all or part of a tribal reservation or tribal trust lands, if the tribe or tribes having regulatory jurisdiction over the territory within that boundary have:

1. Been consulted by the appropriate school, district, or both. Consultations under this subsection (2)(a) must include summaries of completed and ongoing district and school actions required by RCW 22 28A.320.170; and
2. Authorized the use of the name, symbol, or image as a mascot, logo, or team name through an appropriate enactment or resolution.

Section 2(3) and 2(3)(a): Allows a public school to use uniforms or other materials after January 1, 2022 if the uniforms or materials were purchased before January 1, 2022 if:

1. The school selects a new mascot, logo, or team name by December 31, 2021, to take effect in the 2021-22

school year;

2. Except as provided otherwise by this subsection (3)(b), the school does not purchase or acquire any uniforms or materials that include the discontinued Native American name, symbol, or image. However, a school using the discontinued Native American name, symbol, or image may, until January 1, 2023, purchase or acquire a number of uniforms equal to up to twenty percent of the total number of uniforms used by a team, band, or cheer squad at that school during the 2021-22 school year solely to replace damaged or lost uniforms;
3. The school does not purchase, create, or acquire any yearbook, newspaper, program, or other similar material that includes or bears the discontinued Native American name, symbol, or image; and
4. The school does not purchase, construct, or acquire a marquee, sign, or other new or replacement fixture that includes or bears the discontinued Native American name, symbol, or image.

Section 2(4): Allows a public school that does not meet the geographic requirements in subsection (2) of this section to be exempt from subsection (1) if the school is located in a county that is adjacent to a county that contains all or part of a tribal reservation or tribal trust lands and if the tribe is consulted with and determines to authorize the use of the name, symbol, or image as a school mascot, logo or team name as provided in subsection (2) of this section is the nearest federally recognized Indian tribe.

Section 3 (New Section):

Section 3(1): Requires OSPI to create a grant program that provides financial assistance to school districts to support schools that incur costs as a result of a Native American name, symbol, or image change.

Section 3(2): Lists eligible costs that the grant funding provided under this section to include, but not limited to:

1. Uniforms and equipment used by a team, band, cheer squad, or other extracurricular activity;
2. School signage, including reader boards and score boards;
3. Floor designs in gymnasiums or other flooring or surfaces;
4. School spirit score supplies and items; and
5. School web pages.

Section 3(3): Encourages OSPI to incentivize schools that use Native American names, symbols, or images as school mascots, logos, or team names to select a new mascot, logo, or team name by September 1, 2021.

Section 3(4): Section expires on August 31, 2023.

Section 4 (New Section): Includes a null and void clause if specific funding for the purposes of chapter 3 of the act, referencing section 3 of this act by bill or chapter number and section number is not provided by June 30, 2021, in the omnibus appropriations act.

II. B - Cash receipts Impact

Briefly describe and quantify the cash receipts impact of the legislation on the responding agency, identifying the cash receipts provisions by section number and when appropriate the detail of the revenue sources. Briefly describe the factual basis of the assumptions and the method by which the cash receipts impact is derived. Explain how workload assumptions translate into estimates. Distinguish between one time and ongoing functions.

No cash receipt impact anticipated.

II. C - Expenditures

Briefly describe the agency expenditures necessary to implement this legislation (or savings resulting from this legislation), identifying by section number the provisions of the legislation that result in the expenditures (or savings). Briefly describe the factual basis of the assumptions and the method by which the expenditure impact is derived. Explain how workload assumptions translate into cost estimates. Distinguish between one time and ongoing functions.

OSPI's fiscal impact of providing funding to school districts is indeterminate.

Section 3 of this bill creates a grant program that provides transitional support grants to school districts to support schools that incur costs as a result of a Native American name, symbol, or image change. Eligible costs for use by grant funding are costs resulting from the replacement or redesign of items and materials include, but not limited to:

1. Uniforms and equipment used by a team, band, cheer squad, or other extracurricular activity;
2. School signage, including reader boards and score boards;
3. Floor designs in gymnasiums or other flooring or surfaces;
4. School letterhead and other office supplies;
5. School spirit store supplies and items; and
6. School web pages.

In addition, OSPI is encouraged to incentivize schools that select a new mascot, logo, or team name by September 1, 2021.

OSPI estimates there are approximately 32 schools that currently use a Native American name, symbol, or image as a school mascot, logo, or team names, however based on the exceptions outlined in section 2 of the bill not all 32 schools will be impacted by a name change. OSPI costs are indeterminate because total costs would vary based on the total number of schools impacted, building level identification (elementary, middle/junior high, or high school), size of school, number of items/materials needing to be replaced and/or resigned, current replacement schedule of items/materials, and the eligibility of an incentive that OSPI may provide if name change occurs prior to September 1, 2021.

Based on a review of news articles regarding school renaming efforts in various states, cost can vary significantly based on building level identification. OSPI estimates that costs for an elementary school name change could range from \$20,000-100,000, middle school between \$75,000-200,000, and high school between \$200,000-400,000.

Section 4 would make section 3 of this act null and void unless an appropriation is provided by June 30, 2021, in the omnibus appropriations act. Because the legislature appropriates funds to state agencies, not directly to schools, the intent of this language is not clear but OSPI assumes an intent to appropriate funds to OSPI to provide funding to school districts.

Sources:

Washington State:

1. Tacoma School District Woodrow Wilson High School will get a new name at an estimated cost of \$400,000.
<https://www.thenewtribune.com/news/local/article249201535.html>

California:

1. The San Francisco School Board intends to rename 44 schools at an estimated cost of \$1M (an average of \$23,000 per school).
<https://www.sfchronicle.com/education/article/Washington-and-Lincoln-are-out-S-F-school-board-15900963.php>
2. The estimated cost to rename Lee Middle School in San Angelo, CA is \$74,000.
<https://www.gosanangelo.com/story/news/2020/10/13/heres-how-much-might-cost-rename-san-angelos-lee-middle-school/3639521001/>

Virginia:

1. \$20,000 to rename 3 elementary schools in Petersburg, and \$100,000 to replace a gym floor in a Roanoke middle school.

<https://www.whsv.com/content/news/Cost-of-renaming-R-E-Lee-High-School-488554141.html>

2. \$26,000 to rename the J.E.B. Stuart Elementary School in Richmond.

https://richmond.com/news/local/cost-estimate-to-rename-j-e-b-stuart-elementary-is-26-000-could-thomas-jefferson/article_2bf3f321-ee36-522b-9279-8ff33fb4c598.html

3. \$225,000 to rename Washington-Lee High School in Arlington.

https://www.insidenova.com/news/arlington/arlington-school-officials-put-cost-to-washington-lee-name-change/article_e6691e8c-7c93-11e9-8821-cbaa5293d396.html

4. In the Newport News School District, 4 schools may be renamed at a cost of less than \$100,000 per school.

<https://www.13newsnow.com/article/news/local/mycity/newport-news/school-board-chair-says-nn-name-changes-wont-happen-until-2021/291-4f6bdcee-cf80-4b33-8096-194516ff4b8b>

Part III: Expenditure Detail

III. A - Operating Budget Expenditures

Non-zero but indeterminate cost and/or savings. Please see discussion.

III. B - Expenditures by Object Or Purpose

Non-zero but indeterminate cost and/or savings. Please see discussion.

III. C - Operating FTE Detail: *List FTEs by classification and corresponding annual compensation. Totals need to agree with total FTEs in Part I and Part IIIA*

NONE

III. D - Expenditures By Program (optional)

NONE

Part IV: Capital Budget Impact

IV. A - Capital Budget Expenditures

NONE

IV. B - Expenditures by Object Or Purpose

NONE

IV. C - Capital Budget Breakout

Identify acquisition and construction costs not reflected elsewhere on the fiscal note and describe potential financing methods

NONE

IV. D - Capital FTE Detail: *List FTEs by classification and corresponding annual compensation. Totals need to agree with total FTEs in Part IVB*

NONE

No capital budget impact anticipated.

Part V: New Rule Making Required

Individual State Agency Fiscal Note

Bill Number: 1356 S HB AMS EDU S1963.1	Title: Native American names, etc.	Agency: SDF-School District Fiscal Note - SPI
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Part I: Estimates

No Fiscal Impact

Estimated Cash Receipts to:

Non-zero but indeterminate cost and/or savings. Please see discussion.

Estimated Operating Expenditures from:

Non-zero but indeterminate cost and/or savings. Please see discussion.

Estimated Capital Budget Impact:

NONE

The cash receipts and expenditure estimates on this page represent the most likely fiscal impact. Factors impacting the precision of these estimates, and alternate ranges (if appropriate), are explained in Part II.

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Summary of 1356-S AMS EDU S1963.1:

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Section 1(4): Legislature recognizes that no school has a cognizable interest in retaining a racially derogatory or discriminatory school mascot, logo, or team name and intends to prohibit the inappropriate use of Native American names, symbols, or images for those purposes.

Section 2 (New Section):

Section 2(1): Except as provided other by this section, beginning January 1, 2022, public schools may not use Native American names, symbols, or images as school mascots, logos, or team names.

Section 2(2): Subsection (1) of this section does not apply to public schools located within, or with enrollment boundaries that include a portion of, "Indian country," as defined in 18 U.S.C. Sec. 1151, or public schools in a county that contains all or part of a tribal reservation or tribal trust lands, if the tribe or tribes having regulatory jurisdiction over the territory within that boundary have:

1. Been consulted by the appropriate school, district, or both. Consultations under this subsection (2)(a) must include summaries of completed and ongoing district and school actions required by RCW 22 28A.320.170; and
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Section 2(3) and 2(3)(a): Allows a public school to use uniforms or other materials after January 1, 2022 if the uniforms or materials were purchased before January 1, 2022 if:

1. The school selects a new mascot, logo, or team name by December 31, 2021, to take effect in the 2021-22

school year;

2. Except as provided otherwise by this subsection (3)(b), the school does not purchase or acquire any uniforms or materials that include the discontinued Native American name, symbol, or image. However, a school using the discontinued Native American name, symbol, or image may, until January 1, 2023, purchase or acquire a number of uniforms equal to up to twenty percent of the total number of uniforms used by a team, band, or cheer squad at that school during the 2021-22 school year solely to replace damaged or lost uniforms;

3. The school does not purchase, create, or acquire any yearbook, newspaper, program, or other similar material that includes or bears the discontinued Native American name, symbol, or image; and

4. The school does not purchase, construct, or acquire a marquee, sign, or other new or replacement fixture that includes or bears the discontinued Native American name, symbol, or image.

Section 2(4): Allows a public school that does not meet the geographic requirements in subsection (2) of this section to be exempt from subsection (1) if the school is located in a county that is adjacent to a county that contains all or part of a tribal reservation or tribal trust lands and if the tribe is consulted with and determines to authorize the use of the name, symbol, or image as a school mascot, logo or team name as provided in subsection (2) of this section is the nearest federally recognized Indian tribe.

Section 3 (New Section):

Section 3(1): Requires OSPI to create a grant program that provides financial assistance to school districts to support schools that incur costs as a result of a Native American name, symbol, or image change.

Section 3(2): Lists eligible costs that the grant funding provided under this section to include, but not limited to:

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II. B - Cash receipts Impact

Briefly describe and quantify the cash receipts impact of the legislation on the responding agency, identifying the cash receipts provisions by section number and when appropriate the detail of the revenue sources. Briefly describe the factual basis of the assumptions and the method by which the cash receipts impact is derived. Explain how workload assumptions translate into estimates. Distinguish between one time and ongoing functions.

Indeterminate cash receipts.

OSPI assumes section 3 would result in grants to school districts. OSPI cannot estimate the amount of grant funding that would be available. The need for grant funding will vary because district costs are indeterminate and are a function of building level identification (elementary, middle/junior high, or high school), size of school, number of items/materials needing to be replaced and/or resigned, and current replacement schedule of items/materials.

Based on a review of news articles regarding school renaming efforts in various states, cost can vary significantly based on building level identification. OSPI estimates that costs for an elementary school name change could range from \$20,000-100,000, middle school between \$75,000-200,000, and high school between \$200,000-400,000.

II. C - Expenditures

Briefly describe the agency expenditures necessary to implement this legislation (or savings resulting from this legislation), identifying by section number the provisions of the legislation that result in the expenditures (or savings). Briefly describe the factual basis of the assumptions and the method by which the expenditure impact is derived. Explain how workload assumptions translate into cost estimates. Distinguish between one time and ongoing functions.

Section 3 of the bill would not result in a fiscal impact to school districts; however, Section 4 would make section 3 of this act null and void unless an appropriation is provided by June 30, 2021, in the omnibus appropriations act. If section 3 of this act is null and void, impacted schools are still required to continue the school renaming process, as outlined in section 2.

Section 2 of the bill would have an indeterminate expenditure impact on school districts.

OSPI estimates there are approximately 32 schools that currently use a Native American name, symbol, or image as a school mascot, logo, or team names, however based on the exceptions outlined in section 2 of the bill not all 32 schools will be impacted by a name change. School district costs are indeterminate because total costs would vary based on building level identification (elementary, middle/junior high, or high school), size of school, number of items/materials needing to be replaced and/or resigned, and current replacement schedule of items/materials.

Based on a review of news articles regarding school renaming efforts in various states, cost can vary significantly based on building level identification. OSPI estimates that costs for an elementary school name change could range from \$20,000-100,000, middle school between \$75,000-200,000, and high school between \$200,000-400,000.

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Part III: Expenditure Detail

III. A - Operating Budget Expenditures

Non-zero but indeterminate cost and/or savings. Please see discussion.

III. B - Expenditures by Object Or Purpose

Non-zero but indeterminate cost and/or savings. Please see discussion.

III. C - Operating FTE Detail: *List FTEs by classification and corresponding annual compensation. Totals need to agree with total FTEs in Part I and Part IIIA*

NONE

III. D - Expenditures By Program (optional)

NONE

Part IV: Capital Budget Impact

IV. A - Capital Budget Expenditures

NONE

IV. B - Expenditures by Object Or Purpose

NONE

IV. C - Capital Budget Breakout

Identify acquisition and construction costs not reflected elsewhere on the fiscal note and describe potential financing methods

NONE

IV. D - Capital FTE Detail: *List FTEs by classification and corresponding annual compensation. Totals need to agree with total FTEs in Part IVB*

NONE

No capital budget impact anticipated.

Part V: New Rule Making Required