

# Multiple Agency Fiscal Note Summary

<b>Bill Number:</b> 2331 HB	<b>Title:</b> Public school materials
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## Estimated Cash Receipts

NONE

Agency Name	2023-25		2025-27		2027-29	
	GF- State	Total	GF- State	Total	GF- State	Total
Local Gov. Courts						
Loc School dist-SPI	No fiscal impact					
Local Gov. Other						
Local Gov. Total						

## Estimated Operating Expenditures

Agency Name	2023-25				2025-27				2027-29			
	FTEs	GF-State	NGF-Outlook	Total	FTEs	GF-State	NGF-Outlook	Total	FTEs	GF-State	NGF-Outlook	Total
Superintendent of Public Instruction	.1	22,000	22,000	22,000	.0	0	0	0	.0	0	0	0
<b>Total \$</b>	<b>0.1</b>	<b>22,000</b>	<b>22,000</b>	<b>22,000</b>	<b>0.0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0.0</b>	<b>0</b>	<b>0</b>	<b>0</b>

Agency Name	2023-25			2025-27			2027-29		
	FTEs	GF-State	Total	FTEs	GF-State	Total	FTEs	GF-State	Total
Local Gov. Courts									
Loc School dist-SPI	No fiscal impact								
Local Gov. Other									
Local Gov. Total									

## Estimated Capital Budget Expenditures

Agency Name	2023-25			2025-27			2027-29		
	FTEs	Bonds	Total	FTEs	Bonds	Total	FTEs	Bonds	Total
Superintendent of Public Instruction	.0	0	0	.0	0	0	.0	0	0
<b>Total \$</b>	<b>0.0</b>	<b>0</b>	<b>0</b>	<b>0.0</b>	<b>0</b>	<b>0</b>	<b>0.0</b>	<b>0</b>	<b>0</b>

Agency Name	2023-25			2025-27			2027-29		
	FTEs	GF-State	Total	FTEs	GF-State	Total	FTEs	GF-State	Total
Local Gov. Courts									
Loc School dist-SPI	No fiscal impact								
Local Gov. Other									
Local Gov. Total									

## Estimated Capital Budget Breakout

<b>Prepared by:</b> Brian Fechter, OFM	<b>Phone:</b> (360) 688-4225	<b>Date Published:</b> Final 1/29/2024
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# Individual State Agency Fiscal Note

<b>Bill Number:</b> 2331 HB	<b>Title:</b> Public school materials	<b>Agency:</b> 350-Superintendent of Public Instruction
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## Part I: Estimates

**No Fiscal Impact**

### Estimated Cash Receipts to:

NONE

### Estimated Operating Expenditures from:

	FY 2024	FY 2025	2023-25	2025-27	2027-29
FTE Staff Years	0.0	0.1	0.1	0.0	0.0
<b>Account</b>					
General Fund-State      001-1	0	22,000	22,000	0	0
<b>Total \$</b>	0	22,000	22,000	0	0

### 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: Ethan Moreno	Phone: 360-786-7386	Date: 01/19/2024
Agency Preparation: Tisha Kuhn	Phone: 360 725-6424	Date: 01/29/2024
Agency Approval: Amy Kollar	Phone: 360 725-6420	Date: 01/29/2024
OFM Review: Brian Fechter	Phone: (360) 688-4225	Date: 01/29/2024

## Part II: Narrative Explanation

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

*Significant provisions of the bill and any related workload or policy assumptions that have revenue or expenditure impact on the responding agency by section number.*

#### Section 1 (New Section)

Section 1(1)(a): Except as provided otherwise by this section, informs that a school district board of directors may not refuse to approve, or prohibit the use of, any textbook, instructional material, supplemental instructional material, or other curriculum for student instruction on the basis that it relates to or includes the study of the role and contributions of any individual or group who is part of a protected class as established in RCW 28A.642.010 and 28A.640.010

Section 1(1)(b): Informs that the prohibition in (a) of this subsection does not apply if the content of the material relating to the role and contributions of an individual or group violates the provisions of chapter 28A.642 or 28A.640 RCW, including materials containing bias against any individual or group who is part of a protected class as established in RCW 28A.642.010 and 28A.640.010.

#### Section 1(2):

- Allows anyone believing a school district board of directors has not complied with subsection (1) of this section may bring a complaint under the provisions of chapter 28A.642 or 28A.640 RCW.
- Informs that any school district board of directors found to be in violation of subsection (1) of this section shall be considered to have violated chapter 28A.642 or 28A.640 RCW and is subject to the provisions of that chapter.

Section 1(3): Informs that for the purposes of this section, “supplemental instructional materials” has the same meaning as in section 2 of this act.

Section 1(4): Informs that this section governs school operation and management under RCW 28A.710.040 and 28A.715.020 and applies to charter schools established under chapter 28A.710 RCW and state-tribal education compact schools subject to chapter 28A.715 RCW to the same extent as it applies to school districts.

#### Section 2 (New Section)

##### Section 2(1):

- By the beginning of the 2025-26 school year, requires each school district board of directors to adopt or revise as necessary policies and procedures governing requested reviews and removals of supplemental instructional materials.
- Lists the requirements of the policy and procedures.

Section 2(2): Informs that the decisions made in accordance with subsection (1)(d) and (e) of this section must be in conformity with section 1 of this act and may be limited in application to only the student or students of the parent who submitted the complaint.

Section 2(3): For the purposes of this section, provides definitions for “parent”, “supplemental instructional materials”, and “teacher-librarian”.

Section 2(4): Informs that this section governs school operation and management under RCW 28A.710.040 and 28A.715.020 and applies to charter schools established under chapter 28A.710 RCW and state-tribal education compact schools subject to chapter 28A.715 RCW to the same extent as it applies to school districts.

#### Section 3 (Amended)

Renumbers section 3(1)(a)-(e) to section 3(1)(a)(i)-(v).

Section 3(1)(a)(v): Language added requiring the board of directors, unless otherwise specifically provided by law, provide a system for receiving, considering, and acting upon written complaints regarding instructional materials used by the school

district that requires the following:

- Require that complaints be in writing from a parent or legal guardian of student who is enrolled in the district and submitted to a principal from a school where the materials that are the subject of the complaint are used;
- Seek to resolve complaints through, if requested by the parent or guardian, a meeting with the parent or guardian, a certificated teacher who uses the materials that are the subject of the complaint, and the principal to whom the complaint was submitted;
- Require, if a resolution cannot be agreed upon with the parent or guardian and the school principal, the instructional materials committee to provide a written decision on the matter within 60 days of a meeting held under (a)(v)(B) of this subsection; or 90 days after the complaint was received by the principal, whichever date is later;
- Provide a process for appealing decisions of the instructional materials committee, by the parent or guardian, a certificated teacher who uses the materials that are the subject of the complaint, or a principal from a school where the materials that are the subject of the complaint are used, to the superintendent of the school district or a designee of the superintendent.

Section 3(1)(b): Language added requiring the board of directors, unless otherwise specifically provided by law, establish a depreciation scale for determining the value of texts which students wish to purchase.

Section 3(2): Language added informing that recommendations of instructional materials made in accordance with this section must include recommendations for culturally and experientially representative instructional materials. Except as provided in subsection (1)(a)(v) of this section, approval or disapproval shall be by the local school district's board of directors.

Previous Section 3(2): Strikes language regarding establishing a depreciation scale for determining the value of texts for which students wish to purchase.

Section 4 (Amended)

Section 1(1):

- Language added requiring the Superintendent of Public Instruction to develop rules and guidelines to eliminate discrimination prohibited in section 1 of this act as it applies to supplemental instructional materials, and student access to those materials.
- Strikes the words “used by students”.

Section 4(2): Informs that for purposes of this section, “supplemental instructional materials” has the same meaning as in section 2 of the act.

Section 5 (New Section)

Informs that in accordance with section 1 of this act, decisions by school district boards of directors, charter school boards under chapter 28A.710 RCW, and state-tribal education compact schools subject to chapter 28A.715 RCW pertain to textbooks, instructional materials, supplemental instructional materials, and other curriculum for student instruction that may be subject to the provisions of this chapter.

## **II. B - Cash receipts Impact**

*Cash receipts impact of the legislation on the responding agency with the cash receipts provisions identified by section number and when appropriate, the detail of the revenue sources. Description of the factual basis of the assumptions and the method by which the cash receipts impact is derived. Explanation of how workload assumptions translate into estimates. Distinguished between one time and ongoing functions.*

No cash receipt impact anticipated.

## **II. C - Expenditures**

*Agency expenditures necessary to implement this legislation (or savings resulting from this legislation), with the provisions of the legislation that result in the expenditures (or savings) identified by section number. Description of the factual basis of the assumptions and the method by which the expenditure impact is derived. Explanation of how workload assumptions translate into cost estimates. Distinguished between one time and ongoing functions.*

Section 1(2) allows anyone believing a school district board of directors has not complied with subsection (1) of this section

may bring a complaint under the provisions of chapter 28A.642 or 28A.640 RCW. OSPI currently has a system in place that addresses the complaint procedure referenced in the bill.

Section 4(1) requires OSPI to develop rules and guidelines to eliminate discrimination prohibited in section 1 of this act as it applies to supplemental instructional materials, and student access to those materials.

To accomplish this work, OSPI assumes the following:

OSPI will need to engage in rulemaking efforts and dissemination of information regarding sections 1 of this bill related to instructional materials and supplemental instructional materials provisions. The one-time cost for staff to develop these rules in \$22,000 in FY25.

**Part III: Expenditure Detail**

**III. A - Operating Budget Expenditures**

Account	Account Title	Type	FY 2024	FY 2025	2023-25	2025-27	2027-29
001-1	General Fund	State	0	22,000	22,000	0	0
<b>Total \$</b>			0	22,000	22,000	0	0

**III. B - Expenditures by Object Or Purpose**

	FY 2024	FY 2025	2023-25	2025-27	2027-29
FTE Staff Years		0.1	0.1		
A-Salaries and Wages		11,118	11,118		
B-Employee Benefits		8,153	8,153		
C-Professional Service Contracts					
E-Goods and Other Services		744	744		
G-Travel		744	744		
J-Capital Outlays		1,241	1,241		
M-Inter Agency/Fund Transfers					
N-Grants, Benefits & Client Services					
P-Debt Service					
S-Interagency Reimbursements					
T-Intra-Agency Reimbursements					
9-					
<b>Total \$</b>	0	22,000	22,000	0	0

**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*

Job Classification	Salary	FY 2024	FY 2025	2023-25	2025-27	2027-29
Administrative Assistant 3	52,620		0.0	0.0		
Assistant Superintendent	156,684		0.0	0.0		
Program Supervisor	94,165		0.1	0.0		
Rules Coordinator	107,916		0.0	0.0		
<b>Total FTEs</b>			0.1	0.1		0.0

**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**

*Acquisition and construction costs not reflected elsewhere on the fiscal note and description of potential financing methods.*

NONE

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

NONE

No capital budget impact anticipated.

**Part V: New Rule Making Required**

*Provisions of the bill that require the agency to adopt new administrative rules or repeal/revise existing rules.*

# Individual State Agency Fiscal Note

<b>Bill Number:</b> 2331 HB	<b>Title:</b> Public school materials	<b>Agency:</b> SDF-School District Fiscal Note - SPI
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## Part I: Estimates

**No Fiscal Impact**

**Estimated Cash Receipts to:**

NONE

**Estimated Operating Expenditures from:**

NONE

**Estimated Capital Budget Impact:**

NONE

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#### Section 1 (New Section)

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- Lists the requirements of the policy and procedures.

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#### Section 3 (Amended)

Renumbers section 3(1)(a)-(e) to section 3(1)(a)(i)-(v).

Section 3(1)(a)(v): Language added requiring the board of directors, unless otherwise specifically provided by law, provide a system for receiving, considering, and acting upon written complaints regarding instructional materials used by the school

district that requires the following:

- Require that complaints be in writing from a parent or legal guardian of student who is enrolled in the district and submitted to a principal from a school where the materials that are the subject of the complaint are used;
- Seek to resolve complaints through, if requested by the parent or guardian, a meeting with the parent or guardian, a certificated teacher who uses the materials that are the subject of the complaint, and the principal to whom the complaint was submitted;
- Require, if a resolution cannot be agreed upon with the parent or guardian and the school principal, the instructional materials committee to provide a written decision on the matter within 60 days of a meeting held under (a)(v)(B) of this subsection; or 90 days after the complaint was received by the principal, whichever date is later;
- Provide a process for appealing decisions of the instructional materials committee, by the parent or guardian, a certificated teacher who uses the materials that are the subject of the complaint, or a principal from a school where the materials that are the subject of the complaint are used, to the superintendent of the school district or a designee of the superintendent.

Section 3(1)(b): Language added requiring the board of directors, unless otherwise specifically provided by law, establish a depreciation scale for determining the value of texts which students wish to purchase.

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Previous Section 3(2): Strikes language regarding establishing a depreciation scale for determining the value of texts for which students wish to purchase.

#### Section 4 (Amended)

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#### Section 5 (New Section)

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## II. B - Cash receipts Impact

*Cash receipts impact of the legislation on the responding agency with the cash receipts provisions identified by section number and when appropriate, the detail of the revenue sources. Description of the factual basis of the assumptions and the method by which the cash receipts impact is derived. Explanation of how workload assumptions translate into estimates. Distinguished between one time and ongoing functions.*

No cash receipt impact anticipated.

## II. C - Expenditures

*Agency expenditures necessary to implement this legislation (or savings resulting from this legislation), with the provisions of the legislation that result in the expenditures (or savings) identified by section number. Description of the factual basis of the assumptions and the method by which the expenditure impact is derived. Explanation of how workload assumptions translate into cost estimates. Distinguished between one time and ongoing functions.*

Section 2 requires that by the beginning of the 2025-26 school year each school district board of directors must adopt or

revise as necessary policies and procedures governing requested reviews and removals of supplemental instructional materials and establishes related requirements. There is no expenditure impact to the school district. OSPI assumes that resources would need to be updated and policies might need revisions, however the projected impact would be minimal.

Section 3(1)(a)(v) establishes new requirements for written complaints regarding instructional materials. There is no expenditure impact to the school district. OSPI assumes that resources would need to be updated and policies might need revisions, however the projected impact would be minimal.

Section 3(1)(b): Language added requiring the board of directors, unless otherwise specifically provided by law, establish a depreciation scale for determining the value of texts which students wish to purchase. There is no expenditure impact to school districts. This is not a new requirement, however, was moved from another part of the bill.

### **Part III: Expenditure Detail**

#### **III. A - Operating Budget Expenditures**

NONE

#### **III. B - Expenditures by Object Or Purpose**

NONE

**III. C - Operating FTE Detail:** *FTEs listed by classification and corresponding annual compensation. Totals 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**

*Acquisition and construction costs not reflected elsewhere on the fiscal note and description of potential financing methods.*

NONE

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

NONE

No capital budget impact anticipated.

### **Part V: New Rule Making Required**

*Provisions of the bill that require the agency to adopt new administrative rules or repeal/revise existing rules.*