

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 88TH LEGISLATIVE REGULAR SESSION

April 27, 2023

TO: Honorable Brandon Creighton, Chair, Senate Committee on Education

FROM: Jerry McGinty, Director, Legislative Budget Board

IN RE: SB165 by Campbell (Relating to parental rights in public education and to audits of school district curricula by the Texas Education Agency.), **As Introduced**

Estimated Two-year Net Impact to General Revenue Related Funds for SB165, As Introduced : a negative impact of (\$17,892,655) through the biennium ending August 31, 2025.

The bill would make no appropriation but could provide the legal basis for an appropriation of funds to implement the provisions of the bill.

General Revenue-Related Funds, Five- Year Impact:

<i>Fiscal Year</i>	Probable Net Positive/(Negative) Impact to <i>General Revenue Related Funds</i>
2024	(\$5,382,263)
2025	(\$12,510,392)
2026	(\$14,102,892)
2027	(\$15,700,392)
2028	(\$17,292,892)

All Funds, Five-Year Impact:

<i>Fiscal Year</i>	Probable Savings/(Cost) from <i>General Revenue Fund</i> 1	<i>Change in Number of State Employees from FY 2023</i>
2024	(\$5,382,263)	3.0
2025	(\$12,510,392)	3.0
2026	(\$14,102,892)	3.0
2027	(\$15,700,392)	3.0
2028	(\$17,292,892)	3.0

Fiscal Analysis

The bill would establish that parents who file a grievance with a school district are not subject to public information requests. The bill would also require school districts to solicit permission from parents before a district can perform certain psychological tests on students and to obtain written consent from parents if instructional materials include violence or sexual content. The bill would also require local school boards to establish a confidential option for parents and to provide parents who file a grievance with a physical copy of the grievance policy.

The bill would require the Texas Education Agency (TEA) to audit school district curricula to determine

whether the curricula violate any federal or state laws and post audit information on TEA's website.

Methodology

The bill would require TEA to conduct audits of curricula for all subject areas and districts throughout the state. The audits would identify noncompliance for federal and state laws. TEA estimates a district level curriculum audit tool, a schedule, and reporting platform would be developed in fiscal year 2024 at a cost of \$5,000,000.

TEA estimates conducting audits of 25% of districts for a total cost of \$10,625,000. Continuous improvement of the audit tools would cost \$500,000 each year after the initial development and the management and publication of the audit results at a cost of \$1,000,000 in fiscal year 2025 and subsequent years.

Beginning in fiscal year 2026, it is anticipated that there would be a need to conduct annual checks of all previously reviewed districts at an annual cost of \$1,062,500. Additionally, beginning in fiscal year 2026, it is anticipated that there would be a need to conduct new audits for districts from the previous year whose materials were rated as noncompliant. Assuming a rate of 5% of repeat audits across the state, TEA estimates an annual cost of \$530,000.

The agency estimates the need for 3.0 FTEs to implement the bill's provisions. TEA estimates salaries, benefits, and startup costs to be \$382,263 in fiscal year 2024 and \$385,392 in subsequent years.

Local Government Impact

Districts would need to remedy any instances of curriculum that are identified by TEA as noncompliant.

Source Agencies: 701 Texas Education Agency

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