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S.B. 113
136th General Assembly

Fiscal Note & Local Impact Statement

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Version: As Introduced

Primary Sponsor: Sen. Brenner

Local Impact Statement Procedure Required: No

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Highlights

- The bill requires district boards of education and school governing authorities to implement a policy that prohibits diversity, equity, and inclusion (DEI) initiatives. The bill may decrease school district and other public school personnel costs and administrative overhead if office staff positions primarily dedicated to DEI are eliminated, rather than reassigned to other roles.
- School districts and other public schools may incur minimal administrative costs to comply with the bill, including to review operations, modify job descriptions, redesign training programs, and investigate complaints of alleged violations.

Detailed Analysis

Overview

The bill requires public schools to, within 90 days of the bill's effective date, adopt and enforce a policy that prohibits diversity, equity, and inclusion (DEI) policies and initiatives in public schools. The bill also requires public schools to investigate any alleged violation to these policies and to conduct a fair and impartial hearing regarding the alleged violation.

Policy prohibiting diversity, equity, and inclusion

The bill prohibits the following in school districts; community schools; science, technology, engineering, and mathematics (STEM) schools; and college-preparatory boarding schools: (1) any orientation or training course regarding DEI, (2) the continuation of existing DEI offices or departments, (3) establishing new DEI offices or departments, (4) using DEI in job descriptions, (5) contracting with consultants or third parties whose role is or would be to promote admissions, hiring, or promotion on the basis of race, ethnicity, religion, sex, sexual

orientation, gender identity, or gender expression, and (6) replacing any orientation, training, office, or position designated for DEI with one under a different designation that serves the same or similar purposes, or that uses the same or similar means.

Districts may incur minimal administrative costs to comply with the bill, including to review its operations, modify job descriptions, and redesign training programs. On the other hand, the bill may result in some savings to school districts and other public schools due to the bill's prohibition on continuing existing DEI activities. Eliminating existing DEI programs and associated staff may reduce, to some degree, district and school office staffing costs and administrative overhead if those staff are not reassigned to other roles. Districts may choose to redirect funds previously allocated to these programs toward other areas, such as academic resources, student services, or other purposes. However, the extent of any savings will vary depending on how each school district previously structured and funded any DEI efforts.

Complaint process

The bill requires each school district and other public schools to investigate and resolve complaints about alleged violations of the policy using a process adopted in compliance with Department of Education and Workforce (DEW) standards. If a hearing confirms a violation, the district board or school governing authority must determine an appropriate resolution to address the issue and prevent future infractions. This provision may lead to increased administrative costs for DEW to adopt complaint standards, as well as for districts and schools to conduct these investigations. In general, districts and schools already have processes and procedures in place to handle complaints and investigations, and would likely incorporate the bill's requirements into these as appropriate.