

**TENNESSEE GENERAL ASSEMBLY
FISCAL REVIEW COMMITTEE**



FISCAL NOTE

SB 380 - HB 399

March 23, 2011

SUMMARY OF BILL: Prohibits local education agencies (LEAs) from denying students the right to participate in any activity, trip, or other school function offered to other students in the school solely because the student or the student's parents did not donate the required amount of money to the school or because the student did not sell the required amount of merchandise, food, or other product used to raise money for the school, school activities, or school supplies.

ESTIMATED FISCAL IMPACT:

Increase Local Expenditures – Exceeds \$100,000*

Assumptions:

- According to State Board of Education policy, a student fee is defined as fees for activities that occur within regular school hours such as field trips, fees for interscholastic athletics or marching band if taken for credit in accordance with local board policies, fees or tuition charged during summer school, fees required for graduation ceremonies, fees for a copy of student records, and refundable security deposits collected by the school for use of school property for courses offered for credit or grade such as interscholastic athletics or marching band.
- LEAs are authorized to waive student fees for those students who are verified participants in the federal free and reduced price lunch program.
- Any school activity, trip, or school function includes extracurricular activities for which students may be charged a fee such as marching band or athletics.
- LEAs that charge students for participation in these trips, activities, and other school functions will pay for students who do not pay the fee or participate in fundraising activities. The exact amount of any increase in local expenditures is unknown; however, it is reasonably estimated that LEAs will increase expenditures in an amount exceeding \$100,000 to cover the costs of these students.
- Under the provisions of the bill, LEAs will not be able to limit programs to those students whose fees are waived and students not on free or reduced price lunch who participate in fundraising activities or pay the required fee.
- No increase in state or local BEP funding.

*Article II, Section 24 of the Tennessee Constitution provides that: *No law of general application shall impose increased expenditure requirements on cities or counties unless the General Assembly shall provide that the state share in the cost.*

CERTIFICATION:

The information contained herein is true and correct to the best of my knowledge.

A handwritten signature in blue ink that reads "James W. White". The signature is fluid and cursive, with the first name "James" written in a smaller, more compact script than the last name "White".

James W. White, Executive Director

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