

TENNESSEE GENERAL ASSEMBLY  
FISCAL REVIEW COMMITTEE



FISCAL MEMORANDUM

SB 1602 – HB 2249

April 7, 2014

**SUMMARY OF ORIGINAL BILL:** Changes, from June 30, 2014 to June 30, 2017, the sunset date of the State Textbook Commission (STC). Reconstitutes the STC. Current STC members' terms shall expire on January 1, 2015. The reconstituted STC shall be composed of ten members, nine of whom shall be appointed. The Speakers of the House and Senate and the Governor shall each appoint three members, one from each Grand Division of the state. The Commissioner of Education shall be an ex officio secretary of the STC, with the right to vote. Sets forth the groups from which STC members shall be chosen. Requires STC members to be confirmed by joint resolution of the General Assembly except in cases when the General Assembly is not in session. STC members shall serve three-year terms. Sets forth the duties of the new STC. Requires the Department of Education (DOE) to provide training to new members on the textbook review process and the completion of their assigned tasks. Prohibits STC members from receiving gifts or other compensation from any textbook author, publisher, or distributor, except copies of books offered for adoption. Prohibits STC members from being employed by any author, publisher, or distributor of textbooks during their term on the STC or within a year after their term has expired. Prohibits STC members from being compensated for their service, except for travel expenses. Requires the public to be notified of STC meetings meet via the DOE website. STC meetings shall be video-streamed and archived on the DOE website.

Authorizes the STC to recruit and appoint an advisory panel of expert teachers or other experts and sets forth requirements for individuals to be appointed to an advisory panel. Requires advisory panel member training by the DOE on textbook reviews to include whether the books conform to the standards for its subject or grade level; has grammatical errors; are free from biases in their viewpoints; and reflect the values of the citizens of Tennessee, as manifested in the United States Constitution, Constitution of Tennessee, and other foundational government documents. Requires the STC to prepare a list of at least four books for each subject and grade and for the list of proposed textbooks to be posted on the DOE website. Sets forth requirements that publishers must meet when submitting a textbook for approval by the STC. Requires publishers to make books available for online inspection by the public and local education agencies (LEAs). Requires the DOE to develop a procedure for members of the public to comment on proposed textbooks and to distribute comments to the advisory panel and STC.

Requires contractors providing books to file a surety bond, no less than \$2,000 and no more than \$10,000. Deletes requirement in Tenn. Code Ann. § 49-6-2207 that cities and special school districts of a certain size make their textbook adoption in cooperation with the county. Requires LEAs to appoint textbook review committees to review proposed textbooks and recommend textbooks to the LEA for adoption. Sets forth the membership of such committees. Requires LEAs to post a list of adopted textbooks on the LEAs' websites.

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**FISCAL IMPACT OF ORIGINAL BILL:**

Increase State Expenditures – Net Impact - \$3,000

**SUMMARY OF AMENDMENTS (015411, 015966):** Amendment 015411 Deletes and rewrites the bill such that the substantive changes are to change the name of the State Textbook Commission to the State Textbook and Instructional Materials Quality Commission (STIMQC) throughout the original bill and sections of Tennessee Code Annotated wherever it appears; authorizes the Commissioner of Education to appoint a designee to serve on the Commission; requires the STIMQC to adopt textbooks and instructional materials for use by local education agencies (LEAs) and for LEAs to review and adopt instructional materials; and revises the appointing of STIMQC members. The Speaker of the Senate and the Speaker of the House of Representatives shall each appoint two members, respectively. The Governor shall appoint five members. The Commissioner of Education shall serve as the ex officio secretary of the Commission, with the right to vote. Sets forth the groups from which members of the Commission shall be appointed. Vacates the membership of the current Commission on January 1, 2015. Staggers the terms of the initial appointees and sets forth how this process shall take place. Amendment 015966 authorizes meetings of the STIMQC to be made available for public viewing by video-streaming over the Internet by the Department of Education (DOE). Videos shall be archived and made available to the public through the DOE’s website.

**FISCAL IMPACT OF BILL WITH PROPOSED AMENDMENTS:**

**Unchanged from the original fiscal note.**

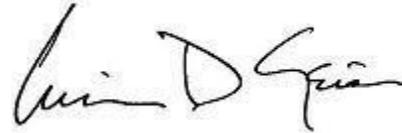
Assumptions for the bill as amended:

- The fiscal impact assumes that the action authorized by the bill as amended will be implemented and reflects the cost of implementation..
- Meetings of the STIQMC will be video-streamed over the Internet and archived.
- According to the DOE, the state will no longer pay a \$15 per day stipend to STC members.
- The current STC meets about five times each year. The number of meetings for the new STIMQC is not expected to change.
- The recurring decrease in state expenditures is estimated to be \$750 (10 members x \$15 x 5 meetings).
- The DOE will contract with an external vendor to video-stream STIMQC meetings. Based on information provided by DOE, the cost to video-stream meetings is estimated to be approximately \$750 per meeting; therefore, a recurring increase in state expenditures of \$3,750 (\$750 x 5).

- The net recurring increase in state expenditures is estimated to be \$3,000 (\$3,750 - \$750).
- Any increase in state expenditures to train new members or advisory panel members and to post items to the DOE website is estimated to be not significant.
- Any increase in state expenditures to provide the public with the opportunity to comment on proposed textbooks and instructional materials is estimated to be not significant and may be done electronically.
- Any increase in state expenditures to review and adopt instructional materials is estimated to be not significant.
- Any increase in local expenditures to perform reviews and adopt textbooks and instructional materials is estimated to be not significant.

**CERTIFICATION:**

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



Lucian D. Geise, Executive Director

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