



SOUTH CAROLINA REVENUE AND FISCAL AFFAIRS OFFICE
STATEMENT OF ESTIMATED FISCAL IMPACT
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Bill Number: S. 0945 Introduced on January 11, 2022
Author: Hembree
Subject: School Board Meetings
Requestor: Senate Education
RFA Analyst(s): Wren
Impact Date: January 19, 2021

Fiscal Impact Summary

This bill requires each public school governing body, including the governing bodies of charter schools and special schools, to make necessary efforts to ensure its meetings are accessible to the public by means of livestream transmission. The State Board of Education must adopt a model policy to comply with the provisions of the bill.

This bill will have no expenditure impact on the State Department of Education (SCDE), as any expenses associated with developing a model livestream meeting policy for school districts can be managed within existing appropriations.

This bill is not expected to have an expenditure impact on the state agency schools since the agencies either have the ability to livestream board meetings or have a plan in place to livestream the meetings. However, the expenditure impact could change once a model policy is adopted by the State Board of Education.

The expenditure impact of this bill on local school districts is undetermined due to the varying responses received from the districts. However, some of the local districts indicate that expenses could increase by a range of \$900 to \$100,000 per district for equipment, onsite maintenance, and staff overtime. Additionally, the model livestream policy to be adopted by the State Board of Education is unknown and may affect these costs.

Penalties for violations or noncompliance with requirements of the bill may not exceed one percent of state funds. The revenue impact on local school districts and special school districts for violations of the livestream meeting policy is undetermined as it is unknown how many districts will not comply with the provisions of the bill.

Explanation of Fiscal Impact

Introduced on January 11, 2022

State Expenditure

This bill requires each public school governing body, including the governing bodies of charter schools and special schools, to make necessary efforts to ensure its meetings are accessible to the public by means of livestream transmission. If a governing body cannot provide such livestream

transmission, it must make a clear audio and video recording of the meeting and place the recording on its website no more than two business days after the meeting. The State Board of Education must adopt a model livestream meeting policy to comply with the provisions of the bill. The policy must include certain criteria, including penalties for policy violations or non-compliance. Penalties for policy violations or non-compliance may not exceed one percent of state funds to the district. The governing body of each public school, charter school, and special school must adopt a local policy within three months after adoption of the policy by the State Board of Education. Local policies must include, at a minimum, the State Board of Education model policy. Any revisions to the State Board of Education's model policy or local policies must be adopted and incorporated in the same manner as the original requirements. A governing body may only adopt its local policy or make changes at a regularly scheduled meeting. The provisions of the bill must be implemented before July 1, 2023.

State Department of Education. SCDE indicates that any expenses to adopt a model livestream meeting policy for school districts can be managed within existing appropriations. Therefore, the bill will have no expenditure impact on the agency.

State Agency Schools. This bill is not expected to have an expenditure impact on the state agency schools. The South Carolina Governor's School for Agriculture at John de la Howe indicates that any expenses associated with livestreaming board meetings will be minimal and can be managed within existing appropriations. The School for the Deaf and Blind indicates that the bill will have no expenditure impact since the agency currently has the capability to livestream meetings. The Wil Lou Gray Opportunity School also indicates that the bill will also have no expenditure impact since the agency has a plan in place to livestream meetings and to provide a video recording of meetings. Based upon these responses, we do not anticipate that the bill will have an expenditure impact on the Governor's School for the Arts and Humanities or the Governor's School for Science and Mathematics. However, the expenditure impact could change depending upon the type of model policy adopted by the State Board of Education. We will update this impact statement if the Governor's Schools' provide a response that alters this impact.

State Revenue

This bill requires each public school governing body, including the governing bodies of charter schools and special schools, to make necessary efforts to ensure its meetings are accessible to the public by means of livestream transmission. The State Board of Education must adopt a model livestream meeting policy to comply with the provisions of the bill. The policy must include certain criteria, including penalties for policy violations or non-compliance. Penalties for policy violations or non-compliance may not exceed one percent of state funds to the district with escalating tiers based on frequent, duration, and severity that the State Board of Education determines reasonable and necessary.

The revenue impact on the special school districts for violations or non-compliance of the livestream meeting policy is undetermined as it is unknown how many districts will not comply with the provisions of the bill. Additionally, the amount of state funds to be withheld will vary by district.

Local Expenditure

As noted above, this bill requires each public school governing body, including the governing bodies of charter schools and special schools, to make necessary efforts to ensure its meetings are accessible to the public through livestream transmission.

SCDE surveyed the seventy-seven regular school districts and the two charter districts and received responses from forty-five districts. Of the responding districts, thirty indicate that the bill will have no expenditure impact since they currently livestream board meetings. Two districts indicate that the bill would increase expenses but could not quantify the cost. The remaining thirteen responding districts indicate expenses would increase by a range of \$900 to \$100,000 per district for equipment, onsite support, and overtime for staff. Due to the varying responses from the responding districts and the type of policy to be adopted by the State Board of Education being unknown, the expenditure impact of this bill on local school districts is undetermined.

Local Revenue

The revenue impact on local school districts for violations or non-compliance of the livestream meeting policy is undetermined as it will depend on how many districts do not comply with the provisions of the bill. Additionally, the amount of state funds to be withheld will vary by district.



Frank A. Rainwater, Executive Director