

**FISCAL NOTE**  
**LEGISLATIVE FISCAL ANALYST ESTIMATE**

<b>ESTIMATE OF FISCAL IMPACT – STATE AGENCIES (See narrative for political subdivision estimates)</b>				
	<b>FY 2021-22</b>		<b>FY 2022-23</b>	
	<b>EXPENDITURES</b>	<b>REVENUE</b>	<b>EXPENDITURES</b>	<b>REVENUE</b>
GENERAL FUNDS	\$2,417,320		\$2,468,845	
CASH FUNDS				
FEDERAL FUNDS				
OTHER FUNDS				
<b>TOTAL FUNDS</b>	<b>\$2,417,320</b>		<b>\$2,468,845</b>	

**Any Fiscal Notes received from state agencies and political subdivisions are attached following the Legislative Fiscal Analyst Estimate.**

LB623 amends §48-818.01, §79-101, §79-209, §79-10,110.02, and §79-1204 and creates the Remote Instruction Act:

On or before August 1, 2022, each school board will adopt a remote learning plan, which will include the school district's rules and procedures for offering remote instruction and describe the specific remote learning options offered by the school district to students for enrollment and the rights of students concerning enrollment in remote learning options. The plan, rules, and procedures will be clear and definite to provide clear notice to all interested parties of the rights and obligations created by the plan.

Remote learning plans will ensure that students receiving remote instruction will have access to the appropriate electronic devices and Internet connectivity sufficient to allow the student to fully participate in remote instruction. School districts may meet such requirements by offering remote learning options with other school districts through an inter-local agreement under the Inter-local Cooperation Act or by working with an educational service unit (esu) or other outside provider. A student that is enrolled in a remote learning option through an inter-local remote learning option will be considered a student of the school district in which the student resides. No student will be compelled to attend a remote learning option at a physical location mandated by the school district. Each remote learning plan will provide students and instructors with access to the services of an information technology officer or help desk that will provide assistance to students, instructors, and administrators who experience technical issues relating to remote learning options.

The will be significant fiscal impact at the school district level that cannot be determined at this time.

The Nebraska Department of Education (NDE) estimates the need of \$517,320 for FY 2021-22 and \$538,345 for FY 2022-23 for five new FTE's to approve/provide feedback on the school districts' remote learning plans, to develop remote learning plans resources and templates, and for approving/providing professional learning related to remote instruction. NDE is also estimates the need for \$25,000 annually to meet the programmatic requirements and \$25,000 in FY 2021-22 to develop and program a remote learning plan application.

The Educational Service Unit Coordinating Council (ESUCC) estimates the need for eighteen and one half new FTE's to meet the requirements of the Remote Instruction Act with a cost of \$1,850,000 for FY 2021-22 and \$1,905,500 for FY 2022-23.

<b>ADMINISTRATIVE SERVICES STATE BUDGET DIVISION: REVIEW OF AGENCY &amp; POLT. SUB. RESPONSE</b>				
LB:	623	AM:	AGENCY/POLT. SUB: Department of Education	
REVIEWED BY:	Gary Bush	DATE:	1/29/21	PHONE: (402) 471-4161
COMMENTS: The number of staff estimate by the agency appears to be unreasonable. The estimate of a 4% salary increase in FY2022-23 appears to be unreasonable given that the agency has provide a 1% to 3% salary increase to staff over past few years.				

ADMINISTRATIVE SERVICES STATE BUDGET DIVISION: REVIEW OF AGENCY & POLT. SUB. RESPONSE

LB: 623 AM: AGENCY/POLT. SUB: ESUCC/ESUs

REVIEWED BY: Gary Bush DATE: 1/29/21 PHONE: (402) 471-4161

COMMENTS: Disagree with the agency's estimate of the impact of the bill. The number positions identified appears to be unreasonable. The provision of bill found in section 16.3(a) defines a priority of what services are to be provided. The ESUs would have discretion on what services to provide given their available resources.

TECHNICAL NOTE: It appears the agency incorrectly calculated the totals for FY2021-22 and FY2022-23. It appears the total should be \$2,312,500 for FY2021-22 and \$2,381,875 for FY2022-23.

Please complete ALL (5) blanks in the first three lines.

**2021**

**LB<sup>(1)</sup> 623**

**FISCAL NOTE**

State Agency OR Political Subdivision Name: <sup>(2)</sup> Education

Prepared by: <sup>(3)</sup> Cory Epler/Dean Folkers Date Prepared: <sup>(4)</sup> 1/19/2021 Phone: <sup>(5)</sup> 1-3240

**ESTIMATE PROVIDED BY STATE AGENCY OR POLITICAL SUBDIVISION**

	<u>FY 2021-22</u>		<u>FY 2022-23</u>	
	<u>EXPENDITURES</u>	<u>REVENUE</u>	<u>EXPENDITURES</u>	<u>REVENUE</u>
GENERAL FUNDS	\$567,320		\$563,345	
CASH FUNDS				
FEDERAL FUNDS				
OTHER FUNDS				
<b>TOTAL FUNDS</b>	<u>\$567,320</u>		<u>\$563,345</u>	

**Explanation of Estimate:**

This fiscal note includes the estimate for hiring five (5), 1.0 FTE Education Specialist III positions. These staff will be responsible for approving/providing feedback on remote learning plans, developing remote learning plans resources and templates, and approving/providing professional learning related to remote instruction. This fiscal note also includes a one-time operating expense (\$25,000) to develop and program a Remote Learning Plan application and an annual \$25,000 operating expense to meet the programmatic requirements.

Significant fiscal impact will be left to the school districts to implement the requirements.

**BREAKDOWN BY MAJOR OBJECTS OF EXPENDITURE**

**Personal Services:**

<u>POSITION TITLE</u>	<u>NUMBER OF POSITIONS</u>		<u>2021-22</u>	<u>2022-23</u>
	<u>21-22</u>	<u>22-23</u>	<u>EXPENDITURES</u>	<u>EXPENDITURES</u>
Education Specialist III	5.0	5.0	\$308,480	\$320,820
Benefits.....			\$183,265	\$191,950
Operating.....			\$50,000	\$25,000
Travel.....			\$25,575	\$25,575
Capital outlay.....				
Aid.....				
Capital improvements.....				
<b>TOTAL.....</b>			<u>\$567,320</u>	<u>\$563,345</u>

Please complete ALL (5) blanks in the first three lines.

**2021**

**LB<sup>(1)</sup> 623**

**FISCAL NOTE**

State Agency OR Political Subdivision Name: <sup>(2)</sup> ESUCC/ESUs

Prepared by: <sup>(3)</sup> Kraig J. Lofquist Date Prepared: <sup>(4)</sup> January 27, 2021 Phone: <sup>(5)</sup> 402.953.84546

**ESTIMATE PROVIDED BY STATE AGENCY OR POLITICAL SUBDIVISION**

	<u>FY 2021-22</u>		<u>FY 2022-23</u>	
	<u>EXPENDITURES</u>	<u>REVENUE</u>	<u>EXPENDITURES</u>	<u>REVENUE</u>
GENERAL FUNDS	\$1,850,000		\$1,905,500	
CASH FUNDS				
FEDERAL FUNDS				
OTHER FUNDS				
<b>TOTAL FUNDS</b>	<u>\$1,850,000</u>		<u>\$1,905,500</u>	

**Explanation of Estimate:**

LB 623 addresses “Core Services” on pages 20 and 21. The bill specifically adds language that would require Nebraska’s Educational Service Units to provide ongoing training related to “remote learning.”

The aforementioned estimates are as follows:

- Small ESUs (7 total) receive \$100,000/year for one-half staff member (\$350,000)
- Mid ESUs (5 total) receive \$100,000/year 1 staff member (\$500,000)
- Large ESUs (5 total) receive \$100,000/year 2 staff members (\$1,000,000)

Year two includes a 3% cost increase.

The breakdown below includes the cost of benefits with ARE included in the overall expenditures.

**BREAKDOWN BY MAJOR OBJECTS OF EXPENDITURE**

**Personal Services:**

<u>POSITION TITLE</u>	<u>NUMBER OF POSITIONS</u>		<u>2021-22</u>	<u>2022-23</u>
	<u>21-22</u>	<u>22-23</u>	<u>EXPENDITURES</u>	<u>EXPENDITURES</u>
Professional Development	18.5 FTE	18.5 FTE	\$1,850,000	\$1,905,500
Benefits.....	\$462,500	\$476,375		
Operating.....				
Travel.....				
Capital outlay.....				
Aid.....				
Capital improvements.....				
<b>TOTAL.....</b>	<b>\$462,500</b>	<b>\$476,375</b>	<b>\$1,850,000</b>	<b>\$1,905,500</b>