



# SOUTH CAROLINA REVENUE AND FISCAL AFFAIRS OFFICE

## STATEMENT OF ESTIMATED FISCAL IMPACT

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*This fiscal impact statement is produced in compliance with the South Carolina Code of Laws and House and Senate rules. The focus of the analysis is on governmental expenditure and revenue impacts and may not provide a comprehensive summary of the legislation.*

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<b>Bill Number:</b>	H. 3758	Amended by House Education and Public Works on April 23, 2025
<b>Subject:</b>	Student Expression of Religious Viewpoints	
<b>Requestor:</b>	House Education and Public Works	
<b>RFA Analyst(s):</b>	Bryant	
<b>Impact Date:</b>	April 24, 2025	

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### Fiscal Impact Summary

This bill requires school districts and charter schools to adopt and implement a policy, which includes the establishment of a limited public forum for student speakers at all school events at which a student is to publicly speak, before the beginning of the 2026-27 school year.

The bill will have no expenditure impact on the S.C. Department of Education (SCDE). The department indicates that it will manage the provisions of the bill with existing appropriations.

The expenditure impact of this bill on state agency schools will vary. The Governor's School for Agriculture at John de la Howe indicates that their policy will need to be written and vetted by an attorney but reports that the cost is currently undetermined. The Governor's School for the Arts and Humanities, the Governor's School for Science and Mathematics, the School for the Deaf and the Blind, and the Wil Lou Gray Opportunity School indicate that this bill will have no expenditure impact, as they can manage the provisions of the bill with existing appropriations.

The overall expenditure impact of this bill on the local school districts will vary. SCDE surveyed the seventy-two regular school districts and three charter school districts and received responses from sixteen districts. Fourteen of the responding districts indicate that the bill will have no expenditure impact. One district anticipates recurring legal fees of an amount up to \$1,000 per year to ensure compliance with the requirements of the bill. The remaining district indicates that implementing the provisions of the bill may increase expenses by an amount ranging from \$4,000 to \$13,000 in FY 2025-26 due to legal fees; training costs to prepare staff to implement and monitor the policy; printing disclaimers, guidance documents, and student notices; and administrative oversight. This district further indicates that expenses will decrease to an amount ranging from \$1,000 to \$2,000 each year thereafter for administrative oversight costs, including managing student speaking selection processes and ensuring consistent policy application.

### Explanation of Fiscal Impact

**Amended by House Education and Public Works on April 23, 2025**

#### State Expenditure

This bill requires each school district and charter school to adopt and implement a policy, which includes the establishment of a limited public forum for student speakers at all school events at

which a student is to publicly speak, before the beginning of the 2026-2027 school year. The policy regarding the limited public forum must require the school district to:

- provide the forum in a manner that does not discriminate against a student's voluntary expression of a religious viewpoint, if any, on an otherwise permissible subject;
- provide a method, based on neutral criteria, for the selection of student speakers at school events and graduation ceremonies;
- ensure that a student speaker does not engage in obscene, vulgar, offensively lewd, or indecent speech; and
- state, in writing, orally, or both, that the student's speech does not reflect the endorsement, sponsorship, position, or expression of the district.

A school district and charter school disclaimer must also be provided at all graduation ceremonies, and the school district and charter school must continue to provide the disclaimer at any other event in which a student speaks publicly for as long as a need exists to dispel confusion over the district's non-sponsorship of the student's speech. Additionally, the bill specifies that student expression on an otherwise permissible subject may not be excluded from the limited public forum because the subject is expressed from a religious viewpoint.

**S.C. Department of Education.** The bill will have no expenditure impact on SCDE. The department indicates that it will manage the provisions of the bill with existing appropriations.

**State Agency Schools.** The expenditure impact of this bill on state agency schools will vary. The Governor's School for Agriculture at John de la Howe indicates that their policy will need to be written and vetted by an attorney but reports that the cost is currently undetermined. The Governor's School for the Arts and Humanities, the Governor's School for Science and Mathematics, the School for the Deaf and the Blind, and the Wil Lou Gray Opportunity School indicate that this bill will have no expenditure impact, as they can manage the provisions of the bill with existing appropriations.

## **State Revenue**

N/A

## **Local Expenditure**

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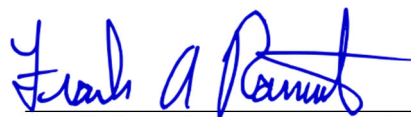
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The overall expenditure impact of this bill on the local school districts will vary. SCDE surveyed the seventy-two regular school districts and three charter school districts and received responses from sixteen districts. Fourteen of the responding districts indicate that the bill will have no expenditure impact. One district anticipates recurring legal fees of an amount up to \$1,000 per year to ensure compliance with the requirements of the bill. The remaining district indicates that implementing the provisions of the bill may increase expenses by an amount ranging from \$4,000 to \$13,000 in FY 2025-26 due to legal fees; training costs to prepare staff to implement and monitor the policy; printing disclaimers, guidance documents, and student notices; and administrative oversight. This district further indicates that expenses will decrease to an amount ranging from \$1,000 to \$2,000 each year thereafter for administrative oversight costs, including managing student speaking selection processes and ensuring consistent policy application.

#### **Local Revenue**

N/A



Frank A. Rainwater, Executive Director