

**Department of Planning and Budget**  
**2005 Fiscal Impact Statement**

**1. Bill Number** SB1136

**House of Origin**    ☒ Introduced    ☐ Substitute    ☐ Engrossed

**Second House**    ☐ In Committee    ☐ Substitute    ☐ Enrolled

**2. Patron**        Hanger

**3. Committee**    Education and Health

**4. Title**            No Child Left Behind Act; Board of Education to seek waiver.

**5. Summary/Purpose:** The bill directs the Board of Education to seek a waiver from compliance with those provisions of the federal No Child Left Behind Act that are duplicative of the Commonwealth's prior educational accountability system as set forth in the Standards of Quality, Standards of Learning, and Standards of Accreditation, or are lacking in cost effectiveness, and that already comply with the spirit and intent of the federal act.

**6. Fiscal Impact (See #8.)**

**7. Budget amendment necessary:** No.

**8. Fiscal implications:** If a waiver of certain requirements pursuant to § 9401 of No Child Left Behind (NCLB) is not sought or is not granted by U.S. Department of Education, the Commonwealth has the option to continue to participate in receiving federal funds pursuant to NCLB while implementing all provisions of the act, or to withdraw from receiving NCLB funds. Should the Commonwealth withdraw from participating in NCLB a significant fiscal impact on the state and local school divisions would result. Virginia receives approximately \$334 million annually in NCLB federal funds, with \$313 million going to school divisions in 2004-2005 and \$21 million to the Department of Education.

**9. Specific agency or political subdivisions affected:** School divisions, Department of Education, Board of Education.

**10. Technical amendment necessary:** No.

**11. Other comments:** This bill is identical to HB 1592 proposed by Delegate Reese, HB 2602 proposed by Delegate Landes, and HB 2685 proposed by Delegate Pollard.

**Date:** 01/20/05 / acd

**Document:** H:\bos\k12 legislation\2005 session\completed bills\SB1136.doc.

cc: Secretary of Education