

Department of Planning and Budget 2010 Fiscal Impact Statement

1. Bill Number: HB76H1

House of Origin ☐ Introduced ☐ Substitute ☒ Engrossed
Second House ☒ In Committee ☐ Substitute ☐ Enrolled

2. Patron: Bell

3. Committee: Education and Health

4. Title: Instructional spending; local school board to report expenditures annually

5. Summary: Requires each local school board to allocate no less than 65 percent of its operating budget to instructional spending. Local school boards must report annually to the Board of Education (BOE) the percentage of their operating budgets allocated to instructional spending. Any school division that fails to meet the 65 percent requirement must present a plan to the BOE to increase instructional spending by 0.5 percent in the following fiscal year. School divisions failing to submit such a plan must be audited by the Auditor of Public Accounts, who is required to submit appropriate recommendations to the BOE of how failing school divisions can increase their instructional spending to 65 percent. In addition, the BOE must annually report to the Senate Committee on Finance and the House Committee on Appropriations the amount of spending allocated by the local school divisions to instructional spending based on the reports submitted annually by the local school boards.

6. Fiscal Impact Estimates: Preliminary. See item 8.

7. Budget Amendment Necessary: No.

7. Fiscal Implications: This legislation establishes the requirement that any local school board must allocate no less than 65 percent of its operating budget to instructional spending, effective July 1, 2011 (fiscal year 2012). This requirement will not result in any additional cost to the state; however, it could constrict the ability of school divisions to allocate money based on the specific needs of the division. Funding received by school divisions from state and federal sources is often already designated for certain purposes.

In addition, this legislation requires that each school division report annually to the BOE the percentage of its operating budget allocated to instructional spending. The BOE shall promulgate regulations to define instructional spending. School divisions that spend less than 65 percent of their operating budget will be required to present a plan to the BOE to increase such expenditures by 0.5 percent in the subsequent year. Any school division that fails to submit a plan under such provisions shall, at the request of the BOE, be audited by the Auditor of Public Accounts pursuant to §15.2-2511. At this time, it is not possible to reliably estimate the additional cost to the Auditor of Public Accounts to perform such audits because it is not known how many school divisions will fail to submit a plan or how many audits will be requested by the BOE.

Finally, this legislation requires the Auditor of Public Accounts, upon completion of such audit, to make a report to the BOE with such recommendations as deemed appropriate by the Auditor, concerning how noncompliant school divisions can increase their instructional spending. The cost associated with developing such recommendations is also unknown at this time because the number of school divisions impacted and the magnitude of any shortfalls is unknown at this time.

9. Specific Agency or Political Subdivisions Affected: Board of Education, local school divisions and Auditor of Public Accounts.

10. Technical Amendment Necessary: No.

11. Other Comments: None.

Date: 2/18/2010 dpbsbj

Document: G:\Legislation\2010\Posted\HB76H1.doc