

Department of Planning and Budget

2014 Fiscal Impact Statement

1. Bill Number: HB1091

House of Origin	<input checked="" type="checkbox"/> Introduced	<input type="checkbox"/> Substitute	<input type="checkbox"/> Engrossed
Second House	<input type="checkbox"/> In Committee	<input type="checkbox"/> Substitute	<input type="checkbox"/> Enrolled

2. Patron: Garrett

3. Committee: Education

4. Title: Opportunity Educational Institution; supervision of schools.

5. Summary: The proposed legislation would require a school be denied accreditation for the previous two years before it is transferred to the Opportunity Educational Institution (OEI). The bill also removes the authority of the Board of OEI to, upon a majority vote, transfer to OEI the supervision of a school that has been accredited with warning for three consecutive years.

6. Budget Amendment Necessary: Yes, a language amendment to Item 138 A.2.

7. Fiscal Impact Estimates: Preliminary. See Item 8.

8. Fiscal Implications: The proposed legislation contains two actions. The first would require a school to be denied accreditation for two years prior to its transfer to OEI and the second would eliminate the ability of OEI to take over schools accredited with warning for three consecutive years. The change related to schools denied accreditation would amend the Code of Virginia to match language contained in the 2014 Appropriation Act and the introduced budget. Therefore, those provisions of the bill would not have an impact on the current procedures of OEI.

The changes the bill makes to the authority of OEI related to schools accredited with warning would conflict with language in the introduced budget. The budget, if it passes as it is currently worded, would give the OEI Board the authority to transfer the supervision of schools that have been accredited with warning for three consecutive years. Section 4-13.00 of the Appropriation Act states that it shall prevail over any other law unless the General Assembly has clearly evidenced its intent that the other law is to supersede the Appropriation Act. The proposed legislation includes no such intent. Therefore, unless the bill or the Appropriation Act is amended to remove the conflict, the changes related to schools accredited with warning would have no effect on OEI.

9. Specific Agency or Political Subdivisions Affected: Opportunity Educational Institution, local school divisions

10. Technical Amendment Necessary: None.

11. Other Comments: None.

Date: 1/30/2014 dpb/smc

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