

Department of Planning and Budget

2014 Fiscal Impact Statement

1. Bill Number: HB1205

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: Yost

3. Committee: Education

4. Title: Student teachers; fingerprinting, criminal history records check, and child abuse and neglect data.

5. Summary: The proposed legislation would permit education preparation program faculty at public institutions of higher education to require student teachers, as a condition of participation in a classroom teaching, internship, clinical, or field experience in a public elementary or secondary school, to submit to fingerprinting to provide the necessary personal information to conduct a criminal history records check and a search of the registry of founded complaints of child abuse and neglect in the Commonwealth. The bill further requires the Board of Education to develop guidelines for each education preparation program to use to decide whether to deny student teachers placement in a classroom teaching, internship, clinical, or field experience on the basis of the findings of the criminal history records check and registry search. The bill requires the students to pay the full costs of the searches.

6. Budget Amendment Necessary: None.

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

8. Fiscal Implications: The bill would give colleges and universities the ability to require student teachers to undergo background checks prior to their placement in the classroom. There will be additional administrative workload for the Board of Education to develop guidelines for each education preparation program director to use to decide whether to deny student teachers placement in a public elementary or secondary school on the basis of the findings of the criminal history records check and registry search. Any additional cost for the development of the guidelines can be absorbed within existing resources.

The Department of Education estimates that approximately 2,000 to 2,500 students may be impacted by the bill. To the extent that such searches are required by the institutions, the caseload for the Department of Social Services and the Virginia State Police (VSP), who perform fingerprinting, may increase. VSP estimates that an additional position would be required to meet the potential increased caseload. VSP would hire an office services specialist to handle the processing of the fingerprints and background checks through the

appropriate databases and the fee transactions. The position would require approximately \$55,000 per fiscal year from the general fund.

If all 2,500 potential student teachers were to pay the \$37 fee that VSP charges for the fingerprinting and criminal background check, the bill would generate \$92,500 in total revenue, with \$20,000 going to the general fund, \$12,500 going to VSP's Sex Offender Registry Fund and \$60,000 being retained by VSP to cover the costs of the search of the Federal Bureau of Investigation's files.

The Department of Social Services (DSS) reports that education preparation programs can already request a search of the Central Registry by submitting a notarized request form signed by the individual being searched. Therefore, the proposed legislation is unlikely to have a significant impact on the agency. Moreover, DSS would retain a portion of the fee revenue generated by the search requests. This additional revenue would increase with the number of searches thereby allowing the agency to defray additional costs.

9. Specific Agency or Political Subdivisions Affected: Board of Education, institutions of higher education, Department of Social Services, Virginia State Police.

10. Technical Amendment Necessary: None.

11. Other Comments: None.

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