

Department of Planning and Budget 2015 Fiscal Impact Statement

1. Bill Number: HB1490

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

2. Patron: Habeeb

3. Committee: Appropriations

4. Title: Standards of Learning tests; expedited retake.

5. Summary: The proposed legislation would require the Board of Education to promulgate regulations to provide the same criteria for eligibility for an expedited retake of any Standards of Learning (SOL) test, with the exception of the writing SOL assessment, to all students regardless of grade level or course. Currently, expedited retake is only available for assessments that are required for high school graduation. The bill contains an emergency clause and would become effective upon passage.

6. Budget Amendment Necessary: Yes, Item 130.

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

8. Fiscal Implications: The bill would allow students who failed a SOL assessment within a specified range the opportunity to retake the test within the same testing window. The Governor's introduced budget includes \$200,000 of general fund support in FY 2016 to cover the state costs related to expedited retakes for the reading, mathematics, science and history assessments.

The emergency enactment clause contained in the bill makes the bill effective upon its passage in spring 2015, and therefore applicable students who do not pass the SOL assessments given at the end of the 2014-15 school year could be eligible to retake the tests if the revised regulations can be implemented in time. The amount contained in the Governor's budget amendment was based on an assumption that expedited retakes would not begin until the 2015-16 school year. Therefore, an additional \$200,000 of general fund support will need to be appropriated in FY2015 to provide the necessary funding to implement the bill earlier than was envisioned in the budget amendment.

Although the emergency enactment clause would require the Board to immediately promulgate regulations following the bill's passage, it is possible that the provisions of this bill cannot be met in FY2015. While the Department of Education can implement the necessary changes to allow expedited retakes of SOL assessments in FY2015, it is not certain that regulations can be enacted in time, especially if the bill is not passed until April. It generally takes at least a month to finalize regulations that are on a fast track. If the goal is to ensure implementation of the provisions of this legislation in FY2015, the legislation would

need to be modified to require the Board to implement policies to grant expedited retakes in FY2015, with the requirement that the Board promulgate the applicable regulations at its earliest opportunity.

School divisions would be required to provide the space and staffing necessary for such retakes.

9. Specific Agency or Political Subdivisions Affected: Board of Education, Department of Education, local school divisions

10. Technical Amendment Necessary: None.

11. Other Comments: HB1302, HB1668, HB2241, SB757, SB874 impact expedited retakes.

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