

Department of Planning and Budget 2016 Fiscal Impact Statement

1. **Bill Number:** HB57

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

2. **Patron:** Kory

3. **Committee:** Education

4. **Title:** Student attendance; withdrawal of students absent without excuse.

5. **Summary:** Requires a public elementary or secondary school student to be dropped from the roll and marked as "withdrawn" if he has been absent without excuse for 15 consecutive school days.

6. **Budget Amendment Necessary:** Yes, Item 139.

7. **Fiscal Impact Estimates:** Indeterminate. See Item 8.

8. **Fiscal Implications:** HB 57 would amend § 22.1-254, Code of Virginia, which establishes Virginia's compulsory attendance requirements and exceptions. The bill would require any student to be marked as "withdrawn" if he has been absent "without excuse" for 15 consecutive school days. "Without excuse" is not defined in statute and there is no definition proposed in the legislation, nor does current law or the bill define excused or unexcused absences.

The Board of Education's Regulations Governing Pupil Accounting Records in 8VAC20-110-130, Virginia Administrative Code, require a student to be marked "withdrawn" and dropped from the roll when a student transfers out, is absent for 15 consecutive days or more (both excused and unexcused), or has been expelled or suspended for more than 15 days. These requirements ensure that a consistent method is used statewide for determining average daily membership (ADM) counts for the purposes of distributing state funds to local school divisions.

As currently drafted, HB 57 could have a state fiscal impact because students who are absent for excused purposes would no longer be removed from the roll as they are today, resulting in a greater number of students counted in ADM for state funding purposes. In addition, the impact would vary from school division to school division, because "excused" and "unexcused" absences are defined by each local school division's policy, not by law or regulation. The actual cost to the state resulting from these students remaining in ADM and funded statewide is indeterminate.

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

10. Technical Amendment Necessary: No.

11. Other Comments: None.