

## Department of Planning and Budget 2019 Fiscal Impact Statement

**1. Bill Number:** SB1138

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

**2. Patron:** Favola

**3. Committee:** Education and Health

**4. Title:** School Divisions of Innovation; performance-based assessments.

**5. Summary:** Allows a local school board, when applying for its school division to be designated as a School Division of Innovation, to apply to the Board of Education (the Board) to replace certain Standards of Learning assessments with performance-based assessments. The bill requires the Board to determine if the local school board has the capacity to administer and score performance-based assessments and provides criteria for such determination. The bill requires any proposed performance-based assessment to be an adequate replacement of the relevant Standards of Learning assessment and requires students to demonstrate the knowledge and skills required by the relevant Standards of Learning and one or more of critical thinking, creativity, collaboration, communication, or citizenship. The standards of learning assessments eligible for replacement are (i) Virginia Studies, (ii) Civics and Economics, (iii) elementary school science, and (iv) middle school science. The bill further requires the Board to promulgate any necessary regulations and to submit to the U.S. Department of Education any necessary amendments to its consolidated state plan.

**6. Budget Amendment Necessary:** Yes, Item 128.

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

**7a. Expenditure Impact:**

<i>Fiscal Year</i>	<i>Dollars</i>	<i>Positions</i>	<i>Fund</i>
2019	\$0	0	N/A
2020	\$55,000	0	General Fund
2021	\$127,200	1.0	General Fund
2022	\$127,200	1.0	General Fund
2023	\$127,200	1.0	General Fund
2024	\$127,200	1.0	General Fund
2025	\$127,200	1.0	General Fund

**8. Fiscal Implications:** The demand for performance-based assessments in school divisions of innovation is unknown. The fiscal impact of this bill could range from \$55,000 for a wage position to perform administrative activities to \$127,200 and one full-time equivalent position if demand for such assessments increases in future years.

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

**10. Technical Amendment Necessary:** No

**11. Other Comments:** The bill allows for School Divisions of Innovation to replace the Standards of Learning assessments for elementary school science and middle school science with a performance-based assessment if such replacement is permitted by the federal Elementary and Secondary Education Act of 1965, as amended, and the Board of Education obtains any necessary approval from the U.S. Department of Education. The Virginia Department of Education notes that federal law requires students to be assessed in science once during elementary school, once during middle school, and once during high school. Federal law also requires that all students are administered the same assessment except for students with cognitive disabilities who may take alternate assessments.

This bill is identical to HB2574.