

Department of Planning and Budget

2020 Fiscal Impact Statement

1. Bill Number: HB12

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: Samirah

3. Committee: Education

4. Title: Education, Department of; discrimination against students, investigation & resolution of complaints.

5. Summary: Requires the Department of Education to establish a procedure for the receipt, investigation, and resolution of student complaints alleging discrimination on any basis that is prohibited by state or federal law, including discrimination on the basis of sex as prohibited by Title IX (20 U.S.C. § 1681 et seq.).

6. Budget Amendment Necessary: Yes, Item 56 and Item 140.

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

8. Fiscal Implications: Local school boards are required by federal law to receive, investigate, and resolve complaints alleging discrimination with support from the United States Department of Education's Office of Civil Rights. This bill requires the Virginia Department of Education (DOE) to establish a state-level procedure in addition to that local process. This fiscal impact assumes that DOE also must perform the work prescribed by such procedure and would require assistance from the Office of the Attorney General (OAG), as this involves matters of state and federal law.

DOE assumes that the work required by this bill will be similar in size and scope to that performed by DOE's Special Education Office of Dispute Resolution. As such, DOE estimates an annual state cost of \$937,542 and eight positions to meet the provisions of this bill. This estimate assumes one director, five coordinators/specialists, and two support staff. The OAG estimates an annual state cost of \$428,210 and three positions to meet the provisions of this bill. This estimate assumes one senior level attorney, one junior level attorney, and one paralegal based on the number of staff required to handle similar legal complaints and litigation. These estimates include salary, benefits, and agency support costs for these positions. Both DOE and OAG likely will need to hire staff during FY 2020 to enable the state-level procedure to take effect July 1, 2020.

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

10. Technical Amendment Necessary: No

11. Other Comments: None