

Department of Planning and Budget 2021 Special Session I Fiscal Impact Statement

1. **Bill Number:** SB1288

House of Origin ☐ Introduced ☐ Substitute ☐ Engrossed

Second House ☐ In Committee ☐ Substitute ☒ Enrolled

2. **Patron:** Dunnavant

3. **Committee:** Passed both houses

4. **Title:** Department of Education; duties; special education.

5. **Summary:** Requires the Department of Education to (i) provide training and guidance documents to local school divisions on the development of Individualized Education Programs (IEPs) for children with disabilities, (ii) develop a training module for each individual who participates in an IEP meeting, with the exception of parents, (iii) annually conduct structured reviews of a sample of IEPs from a sufficiently large sample of local school divisions to verify that the IEPs are in compliance with state and federal laws and regulations, (iv) develop and maintain a statewide plan for improving (a) its ongoing oversight of local practices related to transition planning and services for children with disabilities and (b) technical assistance and guidance provided for postsecondary transition planning and services for children with disabilities, (v) develop and maintain a statewide strategic plan for recruiting and retaining special education teachers, and (vi) (a) conduct a one-time targeted review of the transition sections of a random sample of students' IEPs in each school division; (b) communicate its findings to each local school division, school board, and local special education advisory committee; and (c) ensure that local school divisions correct any IEPs that are found to be out of compliance no later than the end of the 2021-22 school year.

6. **Budget Amendment Necessary:** Yes, Item 143.

7. **Fiscal Impact Estimates:** Final, see Item 8.

7a. Expenditure Impact:

<i>Fiscal Year</i>	<i>Dollars</i>	<i>Fund</i>
2022	\$814,491	GF
2023	\$405,991	GF
2024	\$405,991	GF
2025	\$405,991	GF

8. **Fiscal Implications:** This bill makes several changes to how the Virginia Department of Education (VDOE) would operate its special education program. Some changes could be absorbed by existing staff and some would require additional resources.

This bill would require VDOE to develop a training module for each individual who participates in an IEP meeting. VDOE will need to ensure that the model is properly aligned and can add functions to capture documentation related to completion of training. VDOE estimates that it would need \$75,000 in FY2022 to develop this module. The General Assembly amendments to HB1800/SB1100 provide \$75,000 in FY2022 for this work.

VDOE would also be required to develop and maintain a statewide plan for improving its oversight of local practices related to transition planning and services for children with disabilities and technical assistance and guidance for postsecondary transition planning and services for children with disabilities. VDOE estimates that it would need \$30,000 in FY2022 for contract assistance and to engage stakeholders. Funding for this work is not provided in the conference amendments to HB1800/SB1100.

VDOE would also be required to develop and implement a statewide strategic plan for recruiting and retaining special education teachers. VDOE would require three additional staff members to complete this provision. One staff member would be needed to coordinate the development, evaluation and maintenance of the strategic plan, as well as collect necessary data from school divisions. Two additional staff members would be necessary to coordinate and implement the strategic plan. VDOE estimates that the annual cost for these additional staff members would be \$395,991. The General Assembly amendments to HB1800/SB1100 provide \$395,991 and 3 positions to implement this requirement in FY2022.

VDOE would also be required to develop and collect the results of a self-assessment and action planning instrument addressing inclusion practices every three years. An existing optional assessment would need to be made mandatory and VDOE would need to convert the assessment to a web-based tool for increased efficiency. VDOE estimates that it would need \$100,000 in FY2022 to complete this work. Funding for this work is not provided in the General Assembly amendments to HB1800/SB1100.

The Board of Education would be required to develop and implement requirements for earning an applied studies diploma. VDOE estimates it would need \$30,000 in FY2022 for contractor support and stakeholder meets to gather feedback on the standards. Funding for this work is not provided in the General Assembly amendments to HB1800/SB1100.

VDOE would need to develop a training module for individuals seeking a teacher's license renewal on the instruction of students with disabilities. VDOE estimates it would need \$150,000 in FY2022 to develop an online module and \$10,000 annually to maintain and house the module. The General Assembly amendments to HB1800/SB1100 provide \$150,000 in FY2022 for this work.

VDOE would be required to develop guidance in multiple languages related to the applied studies diploma. VDOE estimates it would need \$3,500 in FY2022 to translate the guidance into six languages. Funding for this work is not provided in the General Assembly amendments to HB1800/SB1100.

Finally the bill would require VDOE to implement a clear and comprehensive plan to improve its approach to monitoring Virginia's special education system. VDOE would need additional staff to create the report. VDOE estimates that it would need \$30,000 in FY2022 for contract assistance and to engage stakeholders. Funding for this work is not provided in the General Assembly amendments to HB1800/SB1100.

The total state fiscal impact of this bill would be \$814,491 in FY2022 and \$405,991 annually, beginning in FY2023. The General Assembly amendments to HB1800/SB1100 provide \$620,991 in FY22 related to the requirements contained in this bill. However, not all requirements are funded. An additional \$193,500 is needed in FY2022 to fully fund the VDOE's work to meet requirements of this bill. Any impact to local school divisions is indeterminate.

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

10. Technical Amendment Necessary: No

11. Other Comments: This bill is identical to HB2299.