

Department of Planning and Budget 2008 Fiscal Impact Statement

1. Bill Number: SB745

House of Origin	<u>X</u>	Introduced	___	Substitute	___	Engrossed
Second House	___	In Committee	___	Substitute	___	Enrolled

2. Patron: Hanger

3. Committee: Education and Health

4. Title: Legal presence verification; public schools and higher education.

5. Summary: Requires all public schools to verify each child's legal presence, and, if appropriate, to develop a plan to assist the child in attaining legal presence, or to take other appropriate action as determined by the locality. Specifies that no child shall be denied admission to a public school for failure to provide evidence of legal presence. Also requires public institutions of higher education to require proof of legal presence prior to enrollment.

6. Fiscal Impact Estimates: Indeterminate.

7. Budget Amendment Necessary: No.

8. Fiscal Implications: The legislation requires a local school division to request documentation of a child's legal presence status upon admission to a public school. However, the legislation also prohibits a school division from denying admission to a child if documentation is not provided. The legislation also requires local school divisions to develop a plan, if appropriate, to assist a child in attaining legal presence. The Department of Education (DOE) anticipates that such assistance would result in administrative local costs for affected school divisions. At this time, the number of children that could be subject to the provisions of this legislation is unknown, as such DOE cannot reliably estimate the anticipated costs.

Public institutions of higher education: This legislation also addresses enrollment in public higher education institutions in Virginia. The cost to implement this legislation would depend upon the specific college or university, and their current practices of validating potential student's immigration status. Public institutions that do not verify immigration status and have large student populations, would potential see an increase in administrative costs, specifically staff to research and certify students with questionable immigration status.

9. Specific Agency or Political Subdivisions Affected: Board of Education, local school divisions and public institutions of higher education.

10. Technical Amendment Necessary: No.

11. Other Comments: No.

Date: 1/29/2008 dpb

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c: Secretary of Education