

Department of Planning and Budget 2013 Fiscal Impact Statement

1. Bill Number: HB1915

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: Surovell

3. Committee: Science and Technology

4. Title: Access to electronic textbooks.

5. Summary: Prohibits school boards from making electronic textbooks available for use by students in their residence or residences unless the school board implements measures to ensure that every student in the local school division has access to a personal computing device approved by the Board and access to internet service in his residence or residences. The bill permits a local school board to establish a pilot program for the use of electronic textbooks at any secondary school in the local school division provided that (i) each student at the secondary school has access to a personal computing device approved by the Board and access to internet service in his residence or residences and (ii) the secondary school is receiving federal funds pursuant to Title I of the federal Elementary and Secondary Education Act of 1965, P.L. 89-10, as amended, or no more than 5% of the students in the local school division or 300 children, whichever is greater, participate in the pilot program.

6. Budget Amendment Necessary: No.

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

8. Fiscal Implications: It is anticipated that any administrative costs incurred by the Department of Education related to the development, maintenance, and distribution of a list of personal computing devices that comply with the parameters of this legislation would be nominal and absorbed within current resources.

It is also estimated that this legislation will not have any immediate fiscal impact on local school divisions; however, the long-term potential is uncertain. The bill states that any school board that wishes to make electronic textbooks available to students at home must first implement “measures to ensure that every student in the local school division has access to a personal computing device approved by the Board [of Education] and access to internet service at home.” The extent of such “measures” is unclear so it is not possible to determine the potential cost to local school divisions; however, the decision to make electronic textbooks available and implement such “measures” remains with the local school board so this legislation does not require any action by school divisions if they do not make electronic textbooks available to students.

9. Specific Agency or Political Subdivisions Affected: Board of Education and local school divisions.

10. Technical Amendment Necessary: No.

11. Other Comments: This legislation would prevent school divisions from making electronic textbooks available to students at home before first ensuring equal access to the material at home for all students in grades six through 12. However, if a school division chooses to make electronic textbooks available to students in one particular grade, and ensures equal access to the material at home for the students in that specific grade level only, this legislation appears to prevent the division from moving forward unless it also ensures equal access for all other grades. An amendment could be considered to ensure appropriate access to the material for the grade level(s) in which the school division would make electronic textbooks available to students rather than all grades if many would not otherwise be impacted.

In addition, paragraph A. of the proposed § 22.1-241.1, Code of Virginia, states that textbooks approved for use in grades six through 12 must be equally accessible to all students at school and in their residence; however, paragraph B. of the new section prohibits the use of electronic textbooks unless each student in the school division has equal access to a computer and the internet in their residence. The first reference implies that the new provisions will only be applicable to grades six through 12; however, the second section states that all students in the school division would be subject to the legislation. An amendment could be considered to clarify the grade level(s) intended to be subject to this legislation.

Finally, the legislation states that each student in the school division must have access to “at least one personal computing device not shared with another student.” The legislation does not clarify whether the computer cannot be shared with another student in the same grade level or another student in the school division, regardless of grade level. If the intent is that households must have a separate computer for every child enrolled in the school division in order for the school to make electronic textbooks available to students, it could make it very difficult for school divisions to use electronic textbooks. If that is not the intent, the legislation could be amended to specify that the computer must not be shared with another student in the same grade level; however, this could still present a problem in cases where children of the same age and grade level reside in the same home.

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