

Department of Planning and Budget 2020 Fiscal Impact Statement

1. **Bill Number:** HB1446

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

2. **Patron:** Aird

3. **Committee:** Education

4. **Title:** Certain school boards; school buildings; assessment; compliance.

5. **Summary:** Requires any local school board in a local school division that (i) is under a division-level corrective action plan, (ii) contains any school that is under a corrective action plan, or (iii) receives at-risk add-on payments pursuant to the general appropriation act to annually assess each school building in the local school division for compliance with the Board of Education's minimum standards for school buildings and report the results to the Board. The bill requires, in any case of noncompliance with such standards, such report to include an assessment of the extent to which local funds are available to remedy such noncompliance. The bill provides that when the Board determines, on the basis of any such report, that a local governing body has not provided the local school board sufficient funds to ensure compliance with the minimum standards for school buildings, the Board may petition the relevant circuit court to compel the local governing body to provide such funds to the local school board.

6. **Budget Amendment Necessary:** Yes, Item 143 and Item 57.

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

7a. Expenditure Impact:

Department of Education

<i>Fiscal Year</i>	<i>Dollars</i>	<i>Positions</i>	<i>Fund</i>
2020	\$0	0	N/A
2021	\$310,600	2.0	General
2022	\$260,600	2.0	General
2023	\$260,600	2.0	General
2024	\$260,600	2.0	General
2025	\$260,600	2.0	General
2026	\$260,600	2.0	General

Office of the Attorney General

<i>Fiscal Year</i>	<i>Dollars</i>	<i>Positions</i>	<i>Fund</i>
2020	\$0	0	N/A
2021	\$90,850	0.5	General
2022	\$90,850	0.5	General

2023	\$90,850	0.5	General
2024	\$90,850	0.5	General
2025	\$90,850	0.5	General
2026	\$90,850	0.5	General

- 8. Fiscal Implications:** All local school divisions receive at-risk add-on payments pursuant to the general appropriation act, so all divisions would be required to annually assess each school building for compliance with the minimum standards established by the Board of Education and report the results to the Board.

The Department of Education (DOE) anticipates the need for two additional staff positions to administer these requirements. This need is based on the assumption that two staff members will be required to develop the instructions, report format, and data collection process used by school divisions to submit their information, perform reviews of school building assessments submitted by all 132 school divisions for approximately 2,000 schools annually, provide technical assistance to divisions on the program, and provide information and support to the Board. DOE estimates an additional state cost of \$240,600 annually for salary and benefits and \$20,000 annually for technology, travel, and professional development for two positions. Additionally, DOE estimates a one-time cost of \$50,000 for programming development to support the data collection and reporting requirements of this bill. The total fiscal impact estimate is \$310,600 in FY 2021 and \$260,600 in FY 2022 and outgoing years.

The Office of the Attorney General (OAG) anticipates the need for a 0.5 full-time-equivalent position based on the provision of this bill that authorizes the Board of Education to petition the relevant circuit court. It is difficult to estimate how many such cases the Board would initiate each year, but the OAG would represent the Board in circuit court.

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

- 10. Technical Amendment Necessary:** No

- 11. Other Comments:** DOE notes that currently, three school divisions have corrective action plans and 132 schools are rated Accredited with Conditions and required to develop a corrective action plan per the Standards of Accreditation. In addition, two school divisions may become monitored by DOE depending on the outcome of division-level reviews.