

**Department of Planning and Budget
2025 General Assembly Session
State Fiscal Impact Statement**

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ORIGINAL

Bill Number: SB753 **Patron:** Favola
Bill Title: Standards of Quality; Standards of Learning assessments in languages other than English, development and administration.

Bill Summary: Requires (i) the Board of Education to develop Standards of Learning assessments in native languages other than English that are most commonly spoken in the Commonwealth; (ii) each school board to make available any such native language assessment to any English language learner student who speaks any such language natively and is identified as having limited English proficiency; (iii) the English language learner faculty at any such student's school to make the final determination as to whether administration of any such native language assessment is appropriate; and (iv) the provisions of the bill to be implemented by the beginning of the 2025-2026 school year. Finally, the bill directs the Department of Education to submit to the U.S. Department of Education by August 1, 2025, any amendments to its consolidated plan under the Elementary and Secondary Education Act of 1965, as amended by the Every Student Succeeds Act, that are necessary to implement its provisions.

Budget Amendment Necessary: Yes **Items Impacted:** 119

Explanation: This bill would require the Department of Education to contract with the statewide assessment system vendor to provide tests in languages other than English, which would increase the cost for the testing contract. Additionally, DOE would require additional funds to administer the requirements of the bill.

Fiscal Summary: DOE estimates that the additional cost to update the statewide assessment vendor contract to meet the requirements of this bill could be approximately \$5.0 million general fund beginning in FY26. This number is an estimate and is dependent on a number of factors as described below. DOE also estimates that \$47,908 would be required for .25 of a position to support the implementation and ongoing management of the additional assessments.

General Fund Expenditure Impact:

<u>Agency</u>	<u>FY2025</u>	<u>FY2026</u>	<u>FY2027</u>	<u>FY2028</u>	<u>FY2029</u>	<u>FY2030</u>
201 (DOE)	\$0	\$5,047,908	\$5,047,908	\$5,047,908	\$5,047,908	\$5,047,908
TOTAL	\$0	\$5,047,908	\$5,047,908	\$5,047,908	\$5,047,908	\$5,047,908

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Position Impact:

<u>Agency</u>	<u>FY2025</u>	<u>FY2026</u>	<u>FY2027</u>	<u>FY2028</u>	<u>FY2029</u>	<u>FY2030</u>
201 (DOE)	0	.25	.25	.25	.25	.25
TOTAL	0	.25	.25	.25	.25	.25

Fiscal Analysis: This bill would require the Board of Education and the Department of Education (DOE) to develop Standards of Learning (SOL) assessments in native languages other than English that are most commonly spoken in the Commonwealth and for local school divisions to make these assessments available to appropriate students.

In order to provide assessments in languages other than English, DOE would have to contract with the statewide assessment vendor to translate and develop the assessments. DOE is in the beginning of a process to procure a new contract for the entire statewide assessment system and if implemented this change would be built into the new assessment contract. DOE solicited information from potential vendors on costs to provide assessments in languages other than English. DOE received estimates ranging from \$3.7 million to \$8.5 million and DOE estimates that approximately \$5 million general fund a year beginning in FY26 would be the most likely amount. These estimates are based on the cost to translate all grade 3 through high school statewide test into the two most commonly spoken languages in the Commonwealth other than English. This cost estimate does not include the costs for retakes and annual updates, which could cost additional amounts but are indeterminate at this time. The actual cost would be dependent on the number of languages the assessments shall be offered in, which is not defined in the bill. The actual impact will also be dependent on the actual assessment vendor chosen and the contract that is negotiated.

DOE also anticipates the need for additional staff time to support the implementation and ongoing review of SOL assessments in languages other than English. DOE anticipates the need for .25 FTE at a total estimated cost of \$47,908 for salary, benefits, and technology. This is based on \$25,500 for salary, \$12,408 for benefits, and \$10,000 for technology and travel costs.

Other: This bill is similar to HB1679. This bill requires that the new assessments shall be implemented by the beginning of the 2025-2026 school year. If passed, this bill would have an effective date of July 1, 2025, and any funding provided in FY26 would be available beginning July 1, 2025. Given this timing, it may not be possible for DOE to complete a procurement process and for the vendor to translate the assessments before the start of the 2025-2026 school year.