

**Department of Planning and Budget
2026 General Assembly Session
State Fiscal Impact Statement**

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ORIGINAL

Bill Number: HB473

Patron: Convirs-Fowler

Bill Title: Public education; special education dispute resolution system; administration, organization, oversight, and training; regional special education ombudsman established.

Bill Summary: Makes several revisions and updates to the special education dispute resolution system, services, and resources in the Commonwealth, including by (i) requiring the Board of Education to prescribe procedures providing for a tiered dispute resolution system that encourages the use of mediation as an informal means of resolving disputes relating to special education and related services; (ii) expanding the duties of the State Parent Ombudsman for Special Education, including by requiring it to develop and implement an anonymous evaluation survey for individuals after contacting or using the State Parent Ombudsman for Special Education, collaborate with the Office of the Children's Ombudsman, provide certain training to its staff by a neutral, qualified expert, and provide additional support, resources, and technical assistance to the Parent Training and Information Center; (iii) expanding the duties of the Department of Education relating to the special education dispute resolution system, including requirements relating to oversight of school division complaints, the provision of neutral, qualified IEP facilitators and mediators, and the provision of training on the tiered dispute resolution system to parents, school personnel, and all special education mediators and hearing officers; and (iv) directing the Department of Education to establish four regional special education ombudsman centers for the purpose of serving as a resource for parents and school personnel on matters relating to the special education dispute resolution system and assisting with the monitoring and oversight of school division and school compliance with federal and state laws and regulations relating to special education dispute resolution.

Budget Amendment Necessary: Yes

Items Impacted: 118

Explanation: The Department of Education would require additional positions and funding in order to meet the new requirements established by this bill. Any impact to local school divisions is indeterminate.

Fiscal Summary: The Department of Education (DOE) anticipates the need for four additional positions within the office of the State Parent Ombudsman for Special Education at a total estimated cost of \$685,265 general fund per year beginning in FY27 to fulfill the new responsibilities for this office.

In order to meet the additional new requirements at DOE, DOE estimates a cost of \$171,316 general fund per year beginning in FY27 for an additional position, \$320,000 general fund per year beginning in FY27 for annual trainings, and \$400,000 general fund one-time in FY27 for system upgrades to the Virginia IEP module.

Finally, DOE estimates an additional cost of \$346,375 general fund in FY27 and \$599,638 general fund in FY28 and ongoing to support workload increases in due process hearings, mediations, state complaints and facilitations within the dispute resolution system.

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General Fund Expenditure Impact:

<u>Agency</u>	<u>FY2026</u>	<u>FY2027</u>	<u>FY2028</u>	<u>FY2029</u>	<u>FY2030</u>	<u>FY2031</u>
201 (DOE)	\$0	\$1,922,956	\$1,776,219	\$1,776,219	\$1,776,219	\$1,776,219
TOTAL	\$0	\$1,922,956	\$1,776,219	\$1,776,219	\$1,776,219	\$1,776,219

Position Impact:

<u>Agency</u>	<u>FY2026</u>	<u>FY2027</u>	<u>FY2028</u>	<u>FY2029</u>	<u>FY2030</u>	<u>FY2031</u>
201 (DOE)	0	5	5	5	5	5
TOTAL	0	5	5	5	5	5

Fiscal Analysis: This bill places several new requirements on the Department of Education (DOE) related to special education dispute resolution.

The bill establishes new requirements for the State Parent Ombudsman for Special Education at DOE. The bill requires the State Parent Ombudsman to develop and implement an evaluation survey, collaborate with and provide regular updates to the Office of the Children’s Ombudsman, provide for additional staff training, and with such funds as may be appropriated to provide support to the public relating to the special education dispute resolution system. The bill also establishes regional special education ombudsman centers with such funds as may be appropriated at George Mason University, Old Dominion University, James Madison University, and Radford University.

DOE anticipates the need for additional staff within the office of the State Parent Ombudsman for Special Education to support the additional duties, including support of the regional special education ombudsman centers. DOE anticipates the need for four additional positions at a total cost of \$685,265 general fund per year beginning in FY27 including salary, benefits, and technology. There is no fiscal impact anticipated by responding public institutions of higher education related to the regional centers at this time.

The bill also requires DOE to monitor, oversee, and analyze data on trends in the utilization and implementation of the special education dispute resolution system; engage with an independent organization for the provision of qualified facilitators training IEP Facilitation techniques; engage with special education mediators; provide training on the tiered dispute resolution system to school divisions; collaborate with the Parent Training and Information Center to provide training on the tiered dispute resolution system to families; and collaborate with an independent professional with expertise on IDEA to provide training to DOE staff, special education mediators and hearing officers.

DOE anticipates the need for an additional position for a Data and Training Specialist to support work to provide additional transparency on the occurrence and outcomes of special education disputes through data collection, analysis and reporting, and to support the coordination of training through outside experts, the

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development of training materials in connection with partners and the development and provision of dispute-resolution specific training to school divisions and other constituencies. DOE estimates a total cost of \$171,316 general fund per year beginning in FY27, including salary, benefits, and technology for this position.

DOE estimates a cost of \$320,000 general fund in FY27 to provide training with outside experts for the groups required by the bill. The bill does not include a requirement for how frequently trainings should be offered, but if trainings are offered annually, the cost would be ongoing. DOE also estimates a one-time cost of \$400,000 general fund in FY27 to update software within the Virginia IEP system related to the dispute resolution module.

DOE also anticipates that, with the additional information and trainings provided in previous years and pursuant to this bill, costs related to due process hearings, mediations, state complaints and facilitations within the dispute resolution system will increase based on increased utilization. DOE estimates an increase of \$346,375 general fund in FY27 and \$599,638 general fund in FY28 and ongoing is required in order to support the additional work load for these processes.

It is anticipated the Office of the Children's Ombudsman would absorb any additional workload to collaborate with DOE as required by the bill.

Other: None