

Department of Planning and Budget 2022 Fiscal Impact Statement

1. Bill Number: HB1246

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: Tran

3. Committee: Education

4. Title: Public elementary and secondary schools; students; digital tools; accessibility.

5. Summary: Adds several provisions relating to the accessibility of each digital tool, defined in the bill as an online platform, a course, a digital application, information and communication technology services, and digital content, to be used in the instruction of public elementary and secondary school students, including requiring (i) the Department of Education to establish and revise when necessary guidelines for local school divisions that govern the purchase of accessible digital tools to be used in student instruction and (ii) except in certain limited circumstances, the procurement process utilized by each local school division for the purchase of a digital tool initiated on or after September 1, 2022, to require (a) the digital tool procured to meet or exceed the Department's standards; (b) each digital tool vendor to submit a voluntary product accessibility template prepared by a third-party professional accessibility tester to demonstrate how the digital tool conforms to the Department's standards and to remedy any nonconforming digital tool within 180 days of receipt of notice of such nonconformity from the local school division at any time during the term of the contract; and (c) each digital tool vendor to indemnify the local school board for liability resulting from the use of a procured digital tool that fails to meet the relevant federal accessibility standard, including non-visual access.

6. Budget Amendment Necessary: Yes, Item 135.

7. Fiscal Impact Estimates: Preliminary, see Item 8.

8. Fiscal Implications: This bill imparts several new responsibilities on the Department of Education (DOE). DOE estimates that an additional position would be required to review and assess a high volume of nonconforming tool submissions from school divisions. DOE estimates an annual cost of \$132,932, including salary, benefits and technology. Any impact to local school divisions is indeterminate.

9. Specific Agency or Political Subdivisions Affected: Department of Education, Local school divisions

10. Technical Amendment Necessary: No

11. Other Comments: None