

Office of Regulatory Management
Economic Review Form

Agency name	Department for Aging and Rehabilitative Services
Virginia Administrative Code (VAC) Chapter citation(s)	22VAC30-20
VAC Chapter title(s)	Provision of Vocational Rehabilitation Services
Action title	New Guidance Document: Title IX Policy and Procedure Manual
Date this document prepared	March 25, 2025
Regulatory Stage (including Issuance of Guidance Documents)	New Guidance Document

Cost Benefit Analysis

Complete Tables 1a and 1b for all regulatory actions. You do not need to complete Table 1c if the regulatory action is required by state statute or federal statute or regulation and leaves no discretion in its implementation.

Table 1a should provide analysis for the regulatory approach you are taking. Table 1b should provide analysis for the approach of leaving the current regulations intact (i.e., no further change is implemented). Table 1c should provide analysis for at least one alternative approach. You should not limit yourself to one alternative, however, and can add additional charts as needed.

Report both direct and indirect costs and benefits that can be monetized in Boxes 1 and 2. Report direct and indirect costs and benefits that cannot be monetized in Box 4. See the ORM Regulatory Economic Analysis Manual for additional guidance.

Background: Title IX of the federal Education Amendments of 1972 protects people from discrimination based on sex in education programs or activities that receive federal financial assistance. Title IX applies to schools, local and state educational agencies and other institutions that receive federal financial assistance from the U.S. Department of Education, including state vocational rehabilitation (VR) programs. A recipient institution that receives U.S. Department of Education funds must operate its education program or activity in a nondiscriminatory manner free of discrimination based on sex. Pursuant to [34 CFR § 106.8\(b\)](#) recipients of federal financial assistance must adopt and publish a Title IX policy. The federal regulations also require that staff be trained on how to process Title IX complaints, and conduct investigations, hearings, and appeals.

The Title IX Policy and Procedure Manual applies to the Virginia Department for Aging and Rehabilitative Services' (DARS or the Department), Division of Rehabilitative Services (DRS) including the Wilson Workforce and Rehabilitation Center (WWRC), which receives federal education funds to administer the VR program. This guidance document will instruct DRS and WWRC staff on the proper way to process Title IX complaints and will provide DRS and WWRC clients with guidance on their Title IX rights. This guidance complies with the 2020 Title IX federal regulations.

Table 1a: Costs and Benefits of the Proposed Changes (Primary Option)

(1) Direct & Indirect Costs & Benefits (Monetized)	Direct Costs: \$5,000. Direct costs are an estimate based upon previous experience with VR client program appeals (not Title IX appeals) and the cost for compensating hearing officers. Title IX hearing and appeal officers are required under 34 CFR § 106.45(b)(6). However, no new funding is needed to implement this change. Costs to implement this change can be absorbed with current funding. Indirect Costs: \$0 Direct Benefits: \$0 Indirect Benefits: \$0	
(2) Present Monetized Values	Direct & Indirect Costs	Direct & Indirect Benefits
	(a) \$5,000 + indeterminate	(b) \$0
(3) Net Monetized Benefit	-\$5,000. However, no new funding is needed to implement this change. Costs to implement this change can be absorbed with current funding.	

(4) Other Costs & Benefits (Non-Monetized)	This guidance document is being issued to comply with 34 CFR Part 106 . The benefit of issuing the Department's Title IX Policy and Procedure Manual is to ensure that all DRS and WWRC staff and clients have a clear understanding of Title IX rights, policies, and procedures, and that the agency is in compliance with federal law. Failure to adopt this policy and have clear procedures would open the Department to potential legal action, at an additional cost to the Department.
(5) Information Sources	U.S Department of Education - Sex Discrimination: Overview of the Law 2020 Title IX Federal Regulations 34 CFR Part 106

Table 1b: Costs and Benefits under the Status Quo (No change to the regulation)

(1) Direct & Indirect Costs & Benefits (Monetized)	Pursuant to 34 CFR 106, the Department must adopt and publish this Title IX Policy and Procedure Manual. If the Department does not issue this guidance document, DARS would be open to potential legal action. Further, staff and clients would not have a clear understanding of Title IX rights, policies and procedures. Direct Costs: \$0 Indirect Costs: \$0 Direct Benefits: \$0 Indirect Benefits: \$0	
(2) Present Monetized Values	Direct & Indirect Costs	Direct & Indirect Benefits
	(a) Indeterminate	(b) \$0
(3) Net Monetized Benefit	Indeterminate	
(4) Other Costs & Benefits (Non-Monetized)	If the status quo is maintained, and DARS does not have a Title IX policy, the agency could be subject to legal action from clients, staff, or other affected parties. The Office of Civil Rights within the U.S. Department of Education has emphasized that Title IX applies to VR agencies and Title IX requires that entities that receive federal education funds have a policy in place.	
(5) Information Sources	U.S Department of Education - Sex Discrimination: Overview of the Law 2020 Title IX Federal Regulations 34 CFR Part 106	

Table 1c: Costs and Benefits under Alternative Approach(es)

(1) Direct & Indirect Costs & Benefits (Monetized)	Beyond the status quo (Table 1b), there are no alternatives to creating the guidance document. Failure to adopt this policy and have clear procedures will open the Department to potential legal action, at an additional cost to the Department. Direct Costs: \$0 Indirect Costs: \$0 Direct Benefits: Describe \$0 Indirect Benefits: \$0	
(2) Present Monetized Values	Direct & Indirect Costs	Direct & Indirect Benefits
	(a) \$0	(b) \$0
(3) Net Monetized Benefit		
(4) Other Costs & Benefits (Non-Monetized)		
(5) Information Sources	U.S Department of Education - Sex Discrimination: Overview of the Law 2020 Title IX Federal Regulations 34 CFR Part 106	

Impact on Local Partners

Use this chart to describe impacts on local partners. See Part 8 of the ORM Cost Impact Analysis Guidance for additional guidance.

Table 2: Impact on Local Partners

(1) Direct & Indirect Costs & Benefits (Monetized)	There are no impacts on local partners. Direct Costs: \$0 Indirect Costs: \$0 Direct Benefits: \$0 Indirect Benefits: \$0
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(2) Present Monetized Values	Direct & Indirect Costs	Direct & Indirect Benefits
	(a) \$0	(b) \$0
(3) Other Costs & Benefits (Non-Monetized)		
(4) Assistance		
(5) Information Sources		

Impacts on Families

Use this chart to describe impacts on families. See Part 8 of the ORM Cost Impact Analysis Guidance for additional guidance.

Table 3: Impact on Families

(1) Direct & Indirect Costs & Benefits (Monetized)	The VR program provides an array of services including vocational counseling, training, and job placement for individuals with disabilities so they can prepare for, find, and retain employment. Receiving VR services can be life changing for individuals with disabilities and their families. The services provided assist individuals in gaining greater independence through earning their own income, increasing work hours and in some cases supporting the transition of youth from school to work. Direct Costs: \$0 Indirect Costs: \$0 Direct Benefits: \$0 Indirect Benefits: Indeterminate	
(2) Present Monetized Values	Direct & Indirect Costs	Direct & Indirect Benefits
	(a) \$0	(b) \$indeterminate

(3) Other Costs & Benefits (Non-Monetized)	The benefit of issuing the Department's Title IX Policy and Procedure Manual is to ensure that all DRS and WWRC staff and clients have a clear understanding of Title IX rights, policies, and procedures. This guidance document will provide clear direction for VR clients wishing to pursue a Title IX complaint and to Department staff responding to such a complaint.
(4) Information Sources	U.S Department of Education - Sex Discrimination: Overview of the Law 2020 Title IX Federal Regulations 34 CFR 106

Impacts on Small Businesses

Use this chart to describe impacts on small businesses. See Part 8 of the ORM Cost Impact Analysis Guidance for additional guidance.

Table 4: Impact on Small Businesses

(1) Direct & Indirect Costs & Benefits (Monetized)	There are no impacts on small businesses. Direct Costs: \$0 Indirect Costs: \$0 Direct Benefits: \$0 Indirect Benefits: \$0	
(2) Present Monetized Values	Direct & Indirect Costs	Direct & Indirect Benefits
	(a) \$0	(b) \$0
(3) Other Costs & Benefits (Non-Monetized)		
(4) Alternatives		
(5) Information Sources		

Changes to Number of Regulatory Requirements**Table 5: Regulatory Reduction**

For each individual action, please fill out the appropriate chart to reflect any change in regulatory requirements, costs, regulatory stringency, or the overall length of any guidance documents.

Change in Regulatory Requirements

VAC Section(s) Involved*	Authority of Change	Initial Count	Additions	Subtractions	Total Net Change in Requirements
	(M/A):				
	(D/A):				
	(M/R):				
	(D/R):				
				Grand Total of Changes in Requirements:	(M/A):
					(D/A):
					(M/R):
					(D/R):

Key:

Please use the following coding if change is mandatory or discretionary and whether it affects externally regulated parties or only the agency itself:

(M/A): Mandatory requirements mandated by federal and/or state statute affecting the agency itself

(D/A): Discretionary requirements affecting agency itself

(M/R): Mandatory requirements mandated by federal and/or state statute affecting external parties, including other agencies

(D/R): Discretionary requirements affecting external parties, including other agencies

Cost Reductions or Increases (if applicable)

VAC Section(s) Involved*	Description of Regulatory Requirement	Initial Cost	New Cost	Overall Cost Savings/Increases

Other Decreases or Increases in Regulatory Stringency (if applicable)

VAC Section(s) Involved*	Description of Regulatory Change	Overview of How It Reduces or Increases Regulatory Burden

Length of Guidance Documents (only applicable if guidance document is being revised)

Title of Guidance Document	Original Word Count	New Word Count	Net Change in Word Count
Title IX Policy and Procedure Manual	[NEW GUIDANCE DOCUMENT]	8,054	+8,054

*If the agency is modifying a guidance document that has regulatory requirements, it should report any change in requirements in the appropriate chart(s).