

Office of Regulatory Management
Economic Review Form

Agency name	State Board of Education
Virginia Administrative Code (VAC) Chapter citation(s)	8VAC 20-720
VAC Chapter title(s)	Regulations Governing Local School Boards and School Divisions
Action title	Periodic Review
Date this document prepared	May 8, 2024
Regulatory Stage (including Issuance of Guidance Documents)	Periodic Review

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.

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

(1) Direct & Indirect Costs & Benefits (Monetized)	Direct Costs: Describe the direct costs of this proposed change here. Indirect Costs: Describe the indirect costs of the proposed change. Direct Benefits: Describe the direct benefits of this proposed change here. Indirect Benefits: Describe the indirect benefits of the proposed change.	
(2) Present Monetized Values	Direct & Indirect Costs	Direct & Indirect Benefits
	(a)	(b)
(3) Net Monetized Benefit		
(4) Other Costs & Benefits (Non-Monetized)		
(5) Information Sources		

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

(1) Direct & Indirect Costs & Benefits (Monetized)	Direct Costs: Describe the direct costs of this proposed change here. Indirect Costs: Describe the indirect costs of the proposed change. Direct Benefits: Describe the direct benefits of this proposed change here. Indirect Benefits: Describe the indirect benefits of the proposed change.	
(2) Present Monetized Values	Direct & Indirect Costs	Direct & Indirect Benefits
	(a)	(b)
(3) Net Monetized Benefit		

(4) Other Costs & Benefits (Non-Monetized)	
(5) Information Sources	

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

(1) Direct & Indirect Costs & Benefits (Monetized)	<p>Direct Costs: Describe the direct costs of this proposed change here.</p> <p>Indirect Costs: Describe the indirect costs of the proposed change.</p> <p>Direct Benefits: Describe the direct benefits of this proposed change here.</p> <p>Indirect Benefits: Describe the indirect benefits of the proposed change.</p>	
(2) Present Monetized Values	Direct & Indirect Costs	Direct & Indirect Benefits
	(a)	(b)
(3) Net Monetized Benefit		
(4) Other Costs & Benefits (Non-Monetized)		
(5) Information Sources		

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)	<p>This regulatory chapter outlines that school boards may not levy any fees or charges on pupils unless authorized to do so by the Board or the General Assembly. Local school boards must develop a policy in accordance with the requirements of the Standards of Quality and Va. Code § 22.1-253.13:7 addressing any fees that are charged. School boards must adhere to the various procedures and exceptions for charging fees as outlined in this chapter.</p>
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	<p>Next the chapter requires that local school boards shall be responsible for the selection and utilization of instructional materials. Local school boards must adopt policies that at a minimum state a procedure which allows parents to inspect, upon request, any instructional materials which are part of student curriculum. This procedure must be in accordance with 20 U.S.C. § 1232H. Local school boards must also adopt policies that at a minimum state the basis upon which a person may seek reconsideration of a local school boards selection of instructional material, including those which might be considered sensitive or controversial. Local school boards must also adopt clear procedures for handling challenged controversial materials according to Va. Code § 22.1-253.13:7.</p> <p>Lastly, the chapter delineates the procedures for textbook approval by the Board, the procedures for selection of textbooks by local school boards, the procedure for if local school boards wish to select textbooks other than those approved by the Board. The chapter further details the procedures for purchasing textbooks which are approved by the Board and those which have not been approved. Then the chapter requires that the division superintendent and chairperson of the local school board annually certify to the Board that all textbooks were selected/purchased in accordance with this chapter, the price paid for each textbook, and include a list of all textbooks adopted by the local school board.</p> <p>Costs: The regulatory chapter implements federal and state requirements.</p> <p>Benefits: The regulatory chapter implements federal and state requirements.</p>	
(2) Present Monetized Values	Direct & Indirect Costs	Direct & Indirect Benefits
	(a)	(b)
(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

<p>(1) Direct & Indirect Costs & Benefits (Monetized)</p>	<p>The regulation does not directly regulate families, but its application by school boards and divisions does have indirect costs and benefits.</p> <p>Costs: The regulation allows for certain fees to be assessed against families for school programs such as driver’s education, locker rentals, and music programs among others.</p> <p>Benefits: The regulation prohibits school divisions and boards from charging any fees which are not expressly allowed by the regulation or the General Assembly. This prevents school divisions or boards from shifting a wide array of costs on to families. The regulation also ensures that students are provided with high quality instructional material and textbooks that meet the requirements of the Board, while also affording families to engage in the process in which these materials are selected and reviewed.</p>	
<p>(2) Present Monetized Values</p>	<p>Direct & Indirect Costs</p>	<p>Direct & Indirect Benefits</p>
	<p>(a)</p>	<p>(b)</p>
<p>(3) Other Costs & Benefits (Non-Monetized)</p>		
<p>(4) Information Sources</p>		

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

<p>(1) Direct & Indirect Costs & Benefits (Monetized)</p>	<p>The regulation lays out certain requirements which directly impact textbook publishers, some of whom may qualify as being “small businesses.” The chapter states that if local school boards select textbooks other than those approved by the Board, the publishers of such textbooks must provide to the local school board a certification that the</p>
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	<p>content of the textbook is accurate and sign an agreement with the local school division to correct all factual and editing errors found in the books at the publisher’s expense.</p> <p>Costs: The chapter creates additional processes that small businesses must follow if a school board wishes to purchase non-approved material from them. It also imposes direct costs on publishers should there be any errors in the material which need to be corrected</p> <p>Benefits: The regulation provides the opportunity for small businesses to engage with school boards even if their material has not been approved by the Board. The regulatory steps in place are meant to ensure that these publishers are still providing high quality material for use in schools.</p>	
(2) Present Monetized Values	Direct & Indirect Costs	Direct & Indirect Benefits
	(a)	(b)
(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

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