

## Department of Planning and Budget 2024 Session Fiscal Impact Statement

1. **Bill Number:** HB1247H2

**House of Origin**     Introduced     Substitute     Engrossed  
**Second House**     In Committee     Substitute     Enrolled

2. **Patron:** Maldonado

3. **Committee:** Education and Health

4. **Title:** Public school staffing ratios; teachers; English language learner students.

5. **Summary:** Requires state funding to be provided pursuant to the general appropriation act to support ratios of instructional positions to English language learner students based on each such student's English proficiency level, as established in the general appropriation act.

6. **Budget Amendment Necessary:** Yes, Item 125.

7. **Fiscal Impact Estimates:** Preliminary, see item 8.

8. **Fiscal Implications:** This bill directs that the staffing standard for English language learners shall be based on proficiency levels at ratios set out in the appropriation act. The Governor's Introduced Budget, HB/SB 30, 2024 General Assembly Session, provides \$128.1 million general fund in FY25 and \$136.7 million general fund in FY26 to fund the existing English language learner staffing standard, which does not utilize proficiency levels. English language proficiency for English language learner (ELL) students is assessed using the WIDA Consortium's ACCESS for ELLs test. This data is different from the traditional data used to support the ELL ratios in HB/SB30, which is based on historical English as a Second Language (ESL) enrollment trends. DOE does not have a WIDA proficiency level classification for all students enrolled in ESL as all students that are enrolled in ESL are likely not being assessed every year. At this time DOE is not able to estimate the impact of replacing the existing staffing standard with a proficiency-based standard, as any impact would be dependent on the ratios set out in the appropriation act.

Budget language amendments would be needed in Item 125 to amend the existing ESL program and set out the ratios that DOE shall use for the new funding standard.

Local school divisions would have to provide the local share required to match any additional state funds received based on each division's local composite index. The actual fiscal impact to local school divisions is indeterminate at this time.

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

**10. Technical Amendment Necessary:** No

**11. Other Comments:** None