

Department of Planning and Budget 2024 Session Fiscal Impact Statement

1. **Bill Number:** HB398H2

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

2. **Patron:** McQuinn

3. **Committee:** Education and Health

4. **Title:** Public elementary and secondary schools; student discipline.

5. **Summary:** Prohibits, except for certain offenses or if aggravating circumstances exists, as defined by the Department of Education, any public elementary or secondary school student from being suspended, expelled, or excluded from attendance at school without first considering the leveled administrative responses to student behavior as set out in the Department of Education's "Model Guidance for Positive, Preventative Code of Student Conduct Policy and Alternatives to Suspension" and any amendments thereto. The bill also requires that prior to imposing a short-term suspension, a school division shall consider the use of in-school suspension in accordance with leveled administrative responses to student behavior as set out in the Department "Model Guidance for Positive, Preventative Code of Student Conduct Policy and Alternatives to Suspension" and any amendments thereto.

6. **Budget Amendment Necessary:** No

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

8. **Fiscal Implications:** This bill would require the Department of Education (DOE) to develop guidance for school divisions on the definition of “aggravating circumstances” and for this guidance to be reviewed by stakeholders and the public. DOE is able to absorb the additional staff time required for this. Any impact to local school division is indeterminate.

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

10. **Technical Amendment Necessary:** No

11. **Other Comments:** This bill is similar to SB586.