



## Virginia Department of Planning and Budget **Economic Impact Analysis**

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**6 VAC 20-240 – Regulations Relating to School Security Officers**  
**Department of Criminal Justice Services**  
January 8, 2015

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### **Summary of the Proposed Amendments to Regulation**

The Board of Criminal Justice Services (Board) proposes to remove the requirement that school security officer training must be minimum 32 hours and clarify language in two other places.

### **Result of Analysis**

There is insufficient data to accurately compare the magnitude of the benefits versus the costs. A different design would likely yield the same benefits at lower cost for at least one proposed change.

### **Estimated Economic Impact**

This regulation establishes a certification process for school security officers. Certification requires training on the role and responsibility of school security officers; relevant state and federal laws; school and personal liability issues; security awareness in the school environment; mediation and conflict resolution; disaster and emergency response; and student behavioral dynamics. Currently, the training to cover these subject areas is required to be at least 32 hours.

The Department of Criminal Justice Services (DCJS) reports that the 32 hours is more than what is needed to cover the curriculum. Since the training has to be 32 hours, training under current regulation is usually stretched out superfluously. The proposed change will remove the 32-hour minimum requirement, but will require that the training course be approved by DCJS. With the proposed change, it appears that the training will be covered in fewer hours. A shorter

training will reduce the number of hours the instructor and the trainees spend in classroom and free up their time and the classroom itself for other purposes.

According to DCJS, all but one school division hire, train or find training for their security officers. Only one school division uses an outside company to contract their security. DCJS indicates that school security officers usually get paid by their employers for their time in training. Similarly, DCJS or local school divisions pay for the instructor's time. Thus, a reduction in the number of training hours will likely provide some cost savings to the employers of school security officers (most of which are school divisions and only one is an outside company) as well as the employers of the instructors. However, DJCS does not have data to estimate the magnitude of such savings.

On the other hand, providing DCJS the authority to approve the number of hours for the curriculum without having to change the regulation will have the unintended consequence of preventing the regulated entities participating in determining what the appropriate number of hours for training is. If the minimum number of hours is retained in the regulation, regulated entities will have a chance to participate in the rule making process if there is a proposed change to the standard and also be given adequate notice of any such change. However in this case, DCJS is proposing to strike the specific number of minimum hours (i.e., 32) required for training under this regulation. In doing so, this number would be determined as a matter of policy by the agency and the agency could change this number at any time without notice and without an opportunity for public comment.

The proposed changes will also clarify that "Director" means the chief administrative officer of DCJS or his designee and that the director may grant exemptions from the training standards established in the regulations. These changes are clarifications of the existing language and are not expected to create any significant economic effects other than improving the clarity of the definition of the director and his or her authority to grant exemptions.

## **Businesses and Entities Affected**

The proposed changes primarily affect DJCS, school divisions that employ security officers, companies that contract out school security officers to school divisions, companies that provide the training, and the individuals taking the training. According to DCJS, there are 30 school divisions that employ security officers, one company that contract out school security

officers to school divisions, one training company, and approximately 200-250 individuals newly certified as school security officers per year in the Commonwealth.

### **Localities Particularly Affected**

The proposed regulations apply throughout the Commonwealth.

### **Projected Impact on Employment**

The proposed changes are anticipated to reduce the amount of time instructors and trainees spend in classroom. Thus, a reduction in demand for their services and time may be expected.

### **Effects on the Use and Value of Private Property**

A reduction in training hours may reduce revenues of training providers and have a negative impact on their assets values. On the other hand, a reduction in training costs may improve profitability of companies that contract out school security officers to school divisions and have a positive impact on their asset values.

### **Small Businesses: Costs and Other Effects**

The provider of school security training and the company that contracts out school security officers are believed to be small businesses. The cost and other effects discussed above apply to them.

### **Small Businesses: Alternative Method that Minimizes Adverse Impact**

There is no known alternative to minimize the potential adverse impact on training providers due to reduced training hours while accomplishing the same goals.

### **Real Estate Development Costs**

The proposed amendments are unlikely to affect real estate development costs.

### **Legal Mandate**

**General:** The Department of Planning and Budget (DPB) has analyzed the economic impact of this proposed regulation in accordance with § 2.2-4007.04 of the Code of Virginia and Executive Order Number 17 (2014). Section 2.2-4007.04 requires that such economic impact analyses determine the public benefits and costs of the proposed amendments. Further the report should include but not be limited to:

- the projected number of businesses or other entities to whom the proposed regulation would apply,
- the identity of any localities and types of businesses or other entities particularly affected,
- the projected number of persons and employment positions to be affected,
- the projected costs to affected businesses or entities to implement or comply with the regulation, and
- the impact on the use and value of private property.

**Small Businesses:** If the proposed regulation will have an adverse effect on small businesses, § 2.2-4007.04 requires that such economic impact analyses include:

- an identification and estimate of the number of small businesses subject to the proposed regulation,
- the projected reporting, recordkeeping, and other administrative costs required for small businesses to comply with the proposed regulation, including the type of professional skills necessary for preparing required reports and other documents,
- a statement of the probable effect of the proposed regulation on affected small businesses, and
- a description of any less intrusive or less costly alternative methods of achieving the purpose of the proposed regulation.

Additionally, pursuant to § 2.2-4007.1, if there is a finding that a proposed regulation may have an adverse impact on small business, the Joint Commission on Administrative Rules (JCAR) is notified at the time the proposed regulation is submitted to the *Virginia Register of Regulations* for publication. This analysis shall represent DPB's best estimate for the purposes of public review and comment on the proposed regulation.

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