

Office of Regulatory Management

Economic Review Form

Agency name	State Board of Education
Virginia Administrative Code (VAC) Chapter citation(s)	8VAC20-81-60; 8VAC20-81-70
VAC Chapter title(s)	<i>Regulations Governing Special Education Programs for Children with Disabilities in Virginia</i>
Action title	Exempt action to align 8VAC20-81-60 and 70 with Chapter 4 of the 2023 Acts of the Assembly
Date this document prepared	July 27, 2023
Regulatory Stage (including Issuance of Guidance Documents)	Final

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)	<p>Direct Costs: There are no direct costs associated with the proposed changes.</p> <p>Indirect Costs: There are no indirect costs associated with the proposed changes.</p> <p>Direct Benefits: There are no direct benefits associated with the proposed changes.</p> <p>Indirect Benefits: There are no indirect benefits associated with the proposed changes.</p>	
(2) Present Monetized Values	Direct & Indirect Costs	Direct & Indirect Benefits
0	(a) 0	(b) 0
(3) Net Monetized Benefit	0	
(4) Other Costs & Benefits (Non-Monetized)	n/a	
(5) Information Sources	<p>There are no direct costs or benefits associated with this action because local education agencies were already free to shorten the deadline from 65 business days from the date of receipt of referral for an initial evaluation or reevaluation of a child to determine eligibility for special education and related services. The regulation still requires that eligibility for special education and related services be made within 65 business days of the receipt of a referral for an initial evaluation or reevaluation.</p>	

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

(1) Direct & Indirect Costs & Benefits (Monetized)	<p>Direct Costs: There are no direct costs associated with the status quo.</p> <p>Indirect Costs: There are no indirect costs associated with the status quo.</p> <p>Direct Benefits: There are no direct benefits associated with the status quo.</p> <p>Indirect Benefits: There are no indirect benefits associated with the status quo.</p>	
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(2) Present Monetized Values	Direct & Indirect Costs	Direct & Indirect Benefits
0	(a) 0	(b) 0
(3) Net Monetized Benefit	0	
(4) Other Costs & Benefits (Non-Monetized)	n/a	
(5) Information Sources	There are no direct costs or benefits associated with the status quo because local education agencies were already free to shorten the deadline from 65 business days from the date of receipt of referral for an initial evaluation or reevaluation of a child to determine eligibility for special education and related services. The regulation still requires that eligibility for special education and related services be made within 65 business days of the receipt of a referral for an initial evaluation or reevaluation.	

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)	There is no impact on local partners.	
(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

(1) Direct & Indirect Costs & Benefits (Monetized)	<p>Direct Costs: There are no direct costs associated with the proposed changes.</p> <p>Indirect Costs: There are no indirect costs associated with the proposed changes.</p> <p>Direct Benefits: There are no direct benefits associated with the proposed changes.</p> <p>Indirect Benefits: There are no indirect benefits associated with the proposed changes.</p>	
(2) Present Monetized Values	Direct & Indirect Costs	Direct & Indirect Benefits

	(a) 0	(b) 0
(3) Other Costs & Benefits (Non-Monetized)	0	
(4) Information Sources	There are no direct costs or benefits associated with the proposed changes because local education agencies were already free to shorten the deadline from 65 business days from the date of receipt of referral for an initial evaluation or reevaluation of a child to determine eligibility for special education and related services. The regulation still requires that eligibility for special education and related services be made within 65 business days of the receipt of a referral for an initial evaluation or reevaluation.	

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 is no impact on small businesses.	
(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	Net Change
8VAC20-81-60	Statutory:	2	0	0	0
	Discretionary:	3	0	0	0
8VAC20-81-70	Statutory:	8	0	0	0
	Discretionary:	0	0	0	0

Cost Reductions or Increases (if applicable)

VAC Section(s) Involved	Description of Regulatory Requirement	Initial Cost	New Cost	Overall Cost Savings/Increases
8VAC20-81-60	Allows an LEA to shorten the 65-day requirement for determination of eligibility after an initial evaluation	0	0	0
8VAC20-81-70	Allows an LEA to shorten the 65-day requirement for determination of eligibility after a reevaluation	0	0	0

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
n/a		
n/a		

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

Title of Guidance Document	Original Length	New Length	Net Change in Length