2021 Special Session I

Budget Bill - HB1800 (Enrolled)

Item 293	First Year - FY2021	Second Year - FY2022
Administrative and Support Services (49900)	~~$2,259,796~~ ***$2,209,796***	~~$2,009,796~~ ***$2,181,239***
General Management and Direction (49901)	~~$2,259,796~~ *$2,209,796*	~~$2,009,796~~ *$2,181,239*
Fund Sources:		
General	~~$2,259,796~~ *$2,209,796*	~~$2,009,796~~ *$2,181,239*

Authority: Title 2.2, Chapter 26, Code of Virginia.

A. The Office of Children's Services may enter into a memorandum of understanding with the Department of Social Services for the provision of routine administrative support services.

B.1. Out of this appropriation, $250,000 the first year from the general fund is provided for the Office of Children's Services to contract for the continuation of a study on the current rates paid by localities to special education private day programs licensed by the Virginia Department of Education. Any remaining balance in the appropriation for the rate study that remains unexpended on June 30, 2021, shall be reappropriated in the next fiscal year for this purpose. Any provider of special education private day services receiving public funds for services provided through the Children's Services Act program shall cooperate with this study and make available to the Office of Children's Services all necessary information, as determined by the director, Office of Children's Services, or his designee, required to determine the adequacy of rates paid for such services and to develop recommendations for a rate-setting structure. The study shall consider the financial impact on local school districts, local governments, and private educational services providers.

2. The Office of Children's Services shall take steps to protect from disclosure any provider-specific information designated by the provider to be confidential or a trade secret. Any information so designated shall be exempt from disclosure under the Virginia Freedom of Information Act. (§ 2.2-3700). This provision does not prevent the use of such data in any aggregated manner for purposes of managing, analyzing, or planning programs funded in this Act.

3. The Office of Children's Services shall submit *a final report on the*~~preliminary findings on the~~ continuation of the study on rates for private day special education services ~~to the Joint Legislative Audit and Review Commission~~ no later than Sept. 1, ~~2020~~*2021* ~~for review and incorporation into their 2020 study on the Children's Services Act. The Office of Children's Services shall provide a final report on the study's findings~~ to the Governor and the Chairmen of the Senate Finance and Appropriations and House Appropriations Committees ~~by June 1, 2021~~.

4. In addition, the study shall, at a minimum: (i) provide definitions and clear delineation between all staff and positions used by private day schools and assessed in the study; (ii) define which staff positions can be included in the classroom staff ratio assessment; (iii) assess all costs associated with regulatory licensing; and (iv) require providers to report costs and distinguish between different locations.

~~5. The Office of Children's Services shall implement statewide rates for private day special education services based~~

~~on the study in this paragraph, effective on July 1, 2021.~~

C. Out of this appropriation, $100,000 from the general fund the second year is provided to the Office of Children's Services for a contract to assist in implementing rate setting for private day special education rates. The Office of Children's Services shall implement statewide rates for private day special education services effective July 1, 2022.

D. The Office of Children's Services (OCS) shall report on the implementation of new statutory requirements contained in House Bill 2212, 2021 Special Session I. The report should be submitted to the Chairs of the House Appropriations and Senate Finance and Appropriations Committees by November 1, 2021.

E. The Office of Children's Services shall develop a plan to modify its staffing and operations to ensure effective local implementation of the Children's Services Act. The plan shall include any new or different staff positions required, how those positions will be used to monitor and improve effectiveness, and the estimated cost of implementing these changes. The plan shall be submitted to the Chairs of the House Appropriations and Senate Finance and Appropriations Committees as part of the report required by paragraph D of this item.

F. The Office of Children's Services shall collect annually from each local Children's Services Act program the number of program staff by full- and part-time status and the administrative budget broken out by state and local funding to understand local program resources and target technical assistance to the most under-sourced local programs.