



THE COMMONWEALTH EDUCATIONAL POLICY INSTITUTE

CENTER FOR PUBLIC POLICY - L. DOUGLAS WILDER SCHOOL OF GOVERNMENT AND PUBLIC AFFAIRS

2013 General Assembly Update

Week 2 Update—January 18, 2013

The 2013 General Assembly session began Wednesday, January 9, 2013. The session runs 46 days and is scheduled to end on February 23, 2013. “Cross-over day,” the last day for each house to act on its own bills, is February 5. House and Senate versions of the two-year, amended budget for fiscal years 2013 and 2014 are expected to be released on February 3.

The House Education Committee is scheduled to meet on Mondays at 9:00 a.m. in House Room C and Wednesdays at 8:30 a.m. in the Appropriations Room. The Senate Education and Health Committee will meet on Thursdays at 8:30 a.m. in Senate Room B. Sub-committees will meet periodically throughout the session. Click [here](#) for the schedule of weekly meetings.

State Budget--Overview

General Assembly lawmakers submitted more than 900 proposed changes to the budget plan introduced by Governor McDonnell last month; more than 80 were submitted that affect direct aid to public education. The governor also submitted an additional 63 amendments. Those proposed amendments, cumulatively, would request changes totaling in the billions of dollars. House and Senate money committees will be shaping changes to the budget over the next two weeks, and those changes are scheduled to be presented on February 3.

Concerning the education-related proposed amendments, there are a handful of amendments that would provide over \$30 million for a support personnel “Cost of Competing Adjustment” (COCA) in FY14 for primarily Northern Virginia school divisions. Last year, the COCA was only partially funded for FY14, and the governor’s amended budget proposal eliminated those funds. Several also would provide full state funding for having a school resource officer in each public elementary, middle and high school. Additional amendments would pump additional dollars into the PreK Initiative and fund one reading specialist per 1,000 students.

A number of amendments propose to nearly double the amount of state funds, from the current \$350,000, for Project Discovery. A language amendment proposed by the governor would expand the pool of teachers eligible to receive a STEM bonus. For FY14, \$200,000 would be provided for EpiPen grants to school divisions; the budget approved last session included funding only for FY13. An amendment adds \$1.2 million for adjusting the local composite index calculation to account for true value of property data adjusted for land use valuation of real property (pursuant to [SB 1096](#)). Another amendment would add \$200,000 to expand the Algebra Readiness Initiative.

Several language amendments of interest also were proposed. One would allow flexibility in spending funding allotted for student health services, rather than requiring it to be spent on one particular service (nurses) as contained in the introduced budget. Another extends pre-Labor Day school opening waivers to the 2013-14 school year for divisions that currently have them, while another would postpone science and history

SOL tests until fifth grade. Finally, language suggested by the governor makes the 2% salary increase incentive he proposed for teachers contingent on sufficient FY13 end-of-year balances.

Click [here](#) for additional information about Governor McDonnell's proposed changes to the public education budget for FY13 and FY14.

Education Legislation

This past week, the House Education Committee reported several bills and forwarded them to the House Appropriations Committee for consideration. They are: [HB 2066, which](#) allows flexibility to local school divisions in assigning librarians, guidance counselors and school-based clerical personnel in schools across the division; [HB 2098, which](#) requires any school board that has requested a release from certain state regulations to demonstrate that such release will increase the quality of instruction and improve the student achievement in the affected school or schools; and [HB 2144](#), which allows an elementary school with a pass rate of less than 75% on the third grade SOL reading test the previous school year to apply to the Board of Education(BOE) for a two-year waiver from the third grade history and/or social science Standards of Learning (SOL) test.

Also, in the House, [HB 1557 was](#) forwarded to the Governor's Task Force of School and Campus Safety for consideration. The bill would have required each school board to designate at least one qualified person for every school in the division who, upon application with the school board, could carry a concealed handgun on school property.

Meanwhile, the Senate Education and Health Committee reported [SB 936](#), which changes the date by which a school board is required to give notice of reassignment to a principal, assistant principal or supervisor under continuing contract status from April 15 to June 15 of any given year. It also approved [SB 1158, which](#) requires the BOE to promulgate regulations authorizing local school divisions to determine the date for administering SOL tests. It reported and sent to the Senate Finance Committee [SB 940, which](#) requires each local school board to establish a collaborative agreement with local law-enforcement agencies to employ one full-time uniformed school resource officer in every school in the division. [SB 1189](#), which requires any school board that has requested a release from certain state regulations to demonstrate that such release will increase the quality of instruction and improve student achievement. It awaits a vote on the Senate floor.

One of the key components of the governor's education package, that having to do with teacher quality, are embodied in [HB 2151 and SB 1223. These bills change t](#)he processes by which teachers and certain administrators are evaluated and utilize the grievance procedure process. They require teachers, assistant principals and principals to be evaluated every year, with such evaluations to include student academic progress as a significant component. The bills increase from three to five years the term of probationary service required for a teacher to be eligible for a continuing contract. The bills also would give local school boards the option to assign a grievance hearing to be heard by a hearing officer; the option for a grievance to be heard in front of a fact-finding panel is eliminated. However, we can anticipate some forthcoming changes when the bills are heard in committees, as the state teachers' association late this week reached agreement with the governor's office on acceptable language for the bills. Such changes include giving school boards the option of (not requiring) extending the probationary period from three to five years, and also providing a shortened timeframe and appointment of an impartial hearing officer, rather than a three-member panel, in the case of a grievance over termination; such hearing officer must be impartial, knowledgeable in public education/education law, and cannot be a member or employee of the local school board. The two-percent salary increase for teachers is contingent on passage of this legislation as well.

Today was the final deadline for lawmakers to introduce bills for this session. Below are additional bills of interest related to public education that have been introduced:

[HB 2171](#) requires each local school board to conduct a school safety audit and review its school crisis, emergency management and medical emergency response plans bimonthly.

[HB 2201](#) directs the Department of Education (DOE) to include in regulations concerning minimum standards for school building construction and additions to provide for at least one carbon monoxide detector to be installed.

[HB 2277](#) provides that school security officers shall be retired law-enforcement officers or persons certified as a law-enforcement officer within the previous five years; such officers would be employed by local law-enforcement agencies.

[HB 2287](#) requires each local school board, in conjunction with a local community services board, to seek to complete development of a mental health first aid training plan by July 1, 2014. Under such plan, each teacher would be required to participate in a 12-hour interactive course provided by community services board staff members on the risk factors, warning signs, symptoms, and treatment of depression, anxiety disorders, trauma, psychotic disorders, eating disorders, and substance use disorders.

[HB 2337](#) directs each local school board to hold and require the parents of each student in the local school division to attend an informational session each year at which the school board shall distribute and present an overview of the school crisis, emergency management and medical emergency response plan.

[SB 1000](#) would repeal legislation approved last year related to tax credits for donations to scholarship foundations for K-12 students attending nonpublic schools.

[SB 1175](#) provides for the operation of Teach for America in Virginia beginning in the 2013-14 school year. The bill creates a two-year provisional license for participants in Teach for America, a program that recruits and trains the recent, top college graduates from various disciplines to accept full-time teaching assignments in hard-to-staff schools (also [HB 2084 listed last week](#)).

[SB 1207](#) requires the BOE to develop a grading system in addition to the Standards of Accreditation for individual school performance; the grading system would be based on an A to F grading scale and would include the school's accreditation rating.

[SB 1300](#) provides that any student who enrolls full-time in a virtual school program served by a multidivision, online provider outside his school division of residence, shall have his state share of SOQ per pupil funding, as well as 76% of his local share, transferred from the school division of residence to the enrolling school division.

E-mail Response

Questions or More Information? Please [contact CEPI](#) if you have any questions or need additional information about the 2013 General Assembly.