



## THE COMMONWEALTH EDUCATIONAL POLICY INSTITUTE

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

### 2014 General Assembly K-12 Education Update

**February 7, 2014**

*The 2014 General Assembly session began Wednesday, January 8, 2014. The session runs 60 days and is scheduled to end on March 8. "Cross-over day," the last day for each house to act on its own bills, is February 11. House and Senate versions of the two-year budget for fiscal years 2015 and 2016 will be released on February 16.*

*The House Education Committee is scheduled to meet on Mondays and Wednesdays at 8:30 a.m. in House Room D. 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.*

#### **Education Legislation**

Reforms to the Virginia Standards of Learning (SOL) assessment program continue to take center stage at the General Assembly. In the House, [HB 930](#) was reported unanimously from the House Education Committee and awaits approval on the House floor. The bill proposes the following:

- It reduces the number of SOL tests in grades 3-8 from 22 to 17. It does not address SOL testing for high school students, due to challenges regarding graduation requirements.
- It requires local school divisions to give assessments for SOL subject areas no longer tested by the state.
- It directs the Secretary of Education to establish a Standards of Learning Innovation Committee made up of stakeholders who will be tasked with evaluating the SOLs on an ongoing basis.
- It contains an enactment clause authorizing the Board of Education (BOE) to reduce the number of SOL test as long as the number and type of assessments meet the minimal requirements established by federal law.

The Senate's approach to SOL testing is embodied in [SB 636](#), which directs the BOE to review the SOL tests and to develop a plan to reduce, by the 2015-2016 school year, the number of such assessments by at least 25 percent (from the number administered in the current school year.. The bill easily passed the Senate with only two no votes. The Senate previously had

approved [SB 325](#), which allows a public elementary school that had an adjusted pass rate of less than 75% on the third grade SOL reading assessment administered during the previous school year to apply to the Board of Education (BOE) for a two-year waiver from the science or history and social science SOL assessment requirement, or both, for third grade students.

Both the House and Senate want to delay implementation of the A to F grading system for reporting individual school performance, slated to be in place this October pursuant to legislation adopted in 2013. But their approaches are vastly different. On Monday, the full House will consider [HB 1229](#), which proposes to delay implementation of the system by one year. The bill was reported unanimously from the House Education Committee. Meanwhile, the Senate narrowly approved [SB 324](#), which delays the assignment of letter grades to schools for three years, to October 2017. It also would have school performance graded by taking into account factors that include the following: the standards of accreditation; state and federal accountability requirements; state mandated assessments; any assessment developed or approved for use by the relevant local school board; student growth indicators; student mobility; the experience and qualifications of staff; total cost and funding per pupil; remediation programs offered; extracurricular activities; parental engagement and satisfaction levels; any external awards or recognitions; and school safety.

Elsewhere in General Assembly happenings:

The House of Delegates will vote Monday on a trio of bills addressing the pre-Labor Day school opening law approved on split votes in committee. [HB 577](#) would allow individual schools that have not achieved full accreditation, and school divisions in which more than 15% of schools have not achieved full accreditation, to start school prior to Labor Day. [HB 610](#) would to return control of calendar to local school boards, but to also require that the Labor Day weekend be a five-day weekend. Finally, [HB 333](#) simply gives control of the school calendar to local school boards. The Senate Education and Health Committee, of late the graveyard for such school calendar bills, has narrowly approved on an 8 to 7 vote, [SB 131](#) that codifies language contained in the budget that extends waivers to the school opening law granted for the 2011-2012 school year. Expect a spirited floor debate on that bill early next week.

Bills to allow political subdivisions the option to opt-out of the defined contribution plan for its “hybrid” retirement plan employees, and to direct the employee and employer contributions to a 403 (b) or cash match plan, are easily making their way through the legislature. Created by the General Assembly two years ago, the hybrid plan is part defined benefit and part defined contribution, applicable to employees hired on or after this past January 1. [HB 877](#) was reported unanimously from the House Appropriations Committee and awaits action on the House floor, while [SB 422](#) is on the Senate floor after having passed out of committee with only two negative votes.

The House and Senate overwhelmingly have approved their respective bills ([HB 11](#) and [SB 2](#)) which provide that textbooks approved by the BOE shall include, when referring to the Sea of Japan, reference to the body of water as the East Sea also.

The House has approved two bills to provide local school boards with some flexibility regarding required expulsion of students from school. [HB 751](#) allows schools board, rather than requiring them, to expel a student found to have brought a controlled substance to school. [HB 752](#) removes pneumatic guns from the list of weapons possessed by a student on school ground that require a one-year expulsion.

The House Education narrowly approved and sent to the Militia, Police and Public Safety Committee (MPPS) [HB 786](#), which prohibit the firing or disciplining of a school employee for possessing an unloaded firearm in a closed container or in a firearms rack in his motor vehicle parked on school property, or possessing a concealed handgun, as a valid concealed handgun permit holder, in his vehicle on school property. The bill has been approved was approved on a party-line vote by the MPPS Committee.

On a 54 to 42 vote, the House approved [HB 484](#) to require school boards, by July 1, 2015, to develop and implement a policy to prohibit the use of electronic cigarettes on school property.

[HB 324](#) creates a statewide virtual school, establishes as Board to oversee the school's programs and services and that would be a policy agency in the executive branch. The bill also directs that the school receive the state and local SOQ per pupil funding amount, not to exceed \$6,500 per student. The bill awaits a vote on the House floor.

The House approved [HB 720](#) on an 87 to 9 vote. It requires local school boards to adopt a policy to set aside, in each school, a non-restroom location shielded from public view to be designated as an area in which any mother employed by the school division may take breaks of reasonable length during the school day to express milk to feed her child, until the child reaches the age of one.

The Senate overwhelmingly approved [SB 155](#), which requires at least 20 minutes of physical activity per day during the regular school year for students in grades kindergarten through five. This requirement would be effective beginning with the 2016-17 school year. On a 25 to 15 vote, the Senate approved [SB 499](#), which would delay the initial transfer of supervision of certain schools from local school boards to the Opportunity Educational Institution by one year, from after the [2013-14](#) school year to after the [2014-15](#) school year.

### **E-mail Response**

Questions or seeking more information? Please [contact CEPI](#) if you have any questions or need additional information about the 2014 General Assembly.