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

2014 General Assembly
K-12 Education Update

APPROVED LEGISLATION

FINANCE

HB 1110 (*Toscano*) requires a school division to be reimbursed by the school division in which a child's custodial parent or guardian resides for the costs of educating such child, whether disabled or not, who has been placed in foster care, in a licensed child-caring institution or in a group home that is located within the school division to be reimbursed.

SB 87 (*Watkins*) makes technical amendments to the programs administered by the Virginia Retirement System (VRS).

SB 269 (*Stanley*) allows taxpayers to claim the Education Improvement Scholarships tax credit for the taxable year in which they made donations to qualifying scholarship foundations, beginning with donations made in 2014; under current law, such credits first may be claimed for the taxable year following the year of the donation.

SB 562 (*Locke*) authorizes any local school board that partners with a college partnership laboratory school to charge tuition to students enrolled in the laboratory school and who do not reside within the partnering school division.

SB 563 (*Stosch*) increases by \$500,000 in each of the next two fiscal years the amount of tax credits that may be issued under the Neighborhood Assistance Act Tax Credit program for both donations supporting education and other programs.

GOVERNANCE AND OPERATIONS

HB 193 (*Minchew*) and **SB 161** (*Favola*) require a public body to adopt a written policy allowing for and governing participation of its members by electronic communication, including an approval process for such participation. The public body shall apply the policy uniformly to its entire membership, without regard to the identity of the member requesting such participation or matters that will be considered or voted on at the meeting. The bill also calls for recordation in the meeting minutes if a member's participation from a remote location is denied.

HB 484 (*Kory*) requires each local school board to (i) develop and implement a policy to prohibit the use of electronic cigarettes on a school bus, school property or at a school-sponsored activity; and (ii) include in its code of student conduct a prohibition against possessing electronic cigarettes at the aforementioned places. School boards are to update their policies and codes of student conduct by July 1, 2015.

HB 683 (*Herring*) requires local departments of social services and local school divisions to develop written interagency agreements for the investigation of all complaints of child abuse or neglect; currently, they must enter into written interagency agreements for investigation of such complaints involving school personnel only.

HB 751 (*Rust*) gives local school boards, and school administrators pursuant to school board policy, flexibility in determining whether or not to expel students from school for certain drug offenses.

HB 1242 (*O'Quinn*) requires the tie breaker of any elected school board to be elected in the same manner as members of the school board.

INSTRUCTION/ACCOUNTABILITY

HB 197 (*Landes*) requires teachers to ensure that all supplementary, written materials used to teach certain historical documents contain accurate restatements of the principles contained therein. In addition, the Department of Education (DOE) is directed to develop guidelines for such materials used by teachers.

HB 886 (*Peace*) requires the State Council of Higher Education (SCHEV) to provide high schools and institutions of higher education a link on its website to published data, to the extent available, assessing rates of enrollment in remedial coursework, individual student credit accumulation and postsecondary degree completion rates. Local school boards are required to post an annual notice to high school students and their parents of the availability of such data on their websites.

HB 887 (*Peace*) requires the Board of Education (BOE) to develop model criteria and procedures for establishing a jointly operated high school with a career and technical education focus, to be recommended to the Governor and General Assembly for funding as a Governor's Career and Technical Education School.

HB 930 (*Greason*) and **SB 306** (*Deeds*) stipulate that Standards of Learning (SOL) assessments administered in grades three through eight not exceed (a) reading and mathematics in grades three and four; (b) reading, mathematics and science in grade five; (c) reading and mathematics in grades six and seven; (d) reading, writing, mathematics and science in grade eight; and (e) Virginia Studies and Civics and Economics once each at the grade levels deemed appropriate by each local school board. Each school board shall annually certify that it has provided instruction and administered an alternative assessment, consistent with Board of Education (BOE)

guidelines, to students in SOL subject areas in which an SOL test was not administered. The bills also include provisions for an SOL Innovation Committee, consisting of legislators and education stakeholders, to periodically make recommendations to the BOE and General Assembly on the SOL tests; student growth measures; alignment between the SOL, assessments and the School Performance Report Card; and ideas on innovative classroom teaching.

HB 1007 (*Byron*) replaces references throughout the *Code of Virginia* to a General Education Development (GED) program or test with "a high school equivalency examination approved by the Board of Education."

HB 1054 (*Loupassi*) allows the BOE, in establishing course and credit requirements for a high school diploma, to consider all computer science course credits earned by students to be science course credits, mathematics course credits, or career and technical education credits; the bill requires the Board to develop guidelines addressing how such courses can satisfy graduation requirements.

HB 1115 (*Greason*) permits the DOE to contract with one or more local school boards that have created online courses, in order to make such courses available to other school divisions through Virtual Virginia. Such school divisions are allowed to charge a per-student or per-course fee. The bill also creates the Virtual Learning Advisory Committee to advise the DOE on online courses, in-service training, digital instructional resources and strategic planning, in order to expand blended and online learning opportunities in schools.

HB 1229 (*Landes*) and **SB 324** (*Miller*) delay, for two years, 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. The bills call for the BOE to develop, in conjunction with the House and Senate Education Committees, a plan for the school performance grading system that considers various factors and indicators. Public input on the plan would occur in summer of 2015, with the grading system to be finalized by December, 2015.

SB 2 (*Marsden*) requires all textbooks approved by the BOE after July 1, 2014, to note that the Sea of Japan is also referred to as the East Sea.

SB 270 (*Miller*) directs the BOE to require only math and English reading SOL assessments for third graders.

PERSONNEL

HB 449 (*R.B. Bell*) prohibits a member or employee of a local school board or the DOE from transmitting personally identifiable information from a student's record to a federal government agency, except as required by federal law or regulation.

HB 720 (*McClellan*) requires a local school board policy that provides for each school in the division to designate a non-restroom area in which any mother employed or enrolled by the

school division may take breaks to express milk to feed her child, until the child reaches the age of one.

HB 725 (*McClellan*) increases membership on the Advisory Board on Teacher Education and Licensure from 19 to 21, and increases from two to four the number of members who must be faculty members in higher education teacher preparation programs.

HB 758 (*Rust*) requires teachers seeking initial licensure with an endorsement in the area of career and technical education to have an industry certification credential in the area in which the teacher seeks endorsement.

HB 851 (*LeMunyon*) and **SB 570** (*Stuart*) expand current provisions concerning battery on a school employee to apply to any full- or part-time school employee.

HB 977 (*Rust*) and **SB 43** (*Favola*) extend from five to 10 business days the deadline for a teacher to request a hearing after receiving written notice of a recommendation of dismissal.

SB 624 (*Newman*) provides that employees of a local school board or a health department, approved by the local governing body to provide health services that render certain acts of emergency care, shall not be liable for ordinary negligence in acts or omissions on the part of such employee while engaged in such acts of emergency care on school property or at a school-sponsored event.

SCHOOL ENVIRONMENT

HB 198 (*Landes*), **HB 752** (*Rust*) and **SB 441** (*Garrett*) clarify that students who have committed certain weapons or drugs offenses are not required to be expelled regardless of the facts of the particular situation.

HB 563 (*Hodges*) and **SB 390** (*Howell*) change the name of the Virginia Center for School Safety to the Virginia Center for School and Campus Safety.

HB 722 (*McClellan*) and **SB 117** (*Watkins*) provide that licensed providers of methadone treatment that are exempt from restrictions regarding proximity to a school or day care center do not retain the exemption when relocating an existing facility or establishing a new facility; the bill does not apply to certain facilities located in Northern Virginia.

HB 1106 (*Hope*) requires the Commission on Youth, in consultation with the Departments of Education and of Behavioral Health and Developmental Services, to review statewide policies and regulations on the use of seclusion and restraint in public and private elementary and secondary schools.

HB 1187 (*McClellan*) requires the Virginia Center for School Safety to use the definition of bullying found in § 22.1-276.01 of the *Code of Virginia* for purposes of training on evidence-

based antibullying tactics and providing information to school divisions regarding school safety concerns.

SB 448 (*Norment*) requires that policies of any public school or public institution of higher education regarding hazing be consistent with model policies established by the DOE or SCHEV, as applicable, and directs such agencies, in conjunction with the Department of Criminal Justice Services, to establish such model policies.

STUDENTS

HB 134 (*Cole*) and **SB 532** (*Stuart*) require local school boards to permit diabetic students to carry and use supplies for immediate treatment of high and low blood glucose levels and to self-check their blood glucose levels on a school bus, on school property or at a school-sponsored activity. The bill also requires the DOE to review and update the Manual for Training Public School Employees in the Administration of Insulin and Glucagon.

HB 157 (*Minchew*) and **SB 276** (*Favola*) provide that in the case of the conversion of an existing public school to a public charter school, students who attend the school and the siblings of such students shall be given the opportunity to enroll in advance of the lottery process; the current requirement that at least one-half of public charter schools per division be for at-risk students does not apply to such converted schools.

HB 1086 (*R.P. Bell*) requires local school boards to provide free and appropriate special education for each student with a disability who attends a full-time virtual school program in the school division, but who resides in another school division in the state.

SB 205 (*McWaters*) allows students who are not minors to take driver's education and their behind-the-wheel examination with their school or with a driver training school.

MISCELLANEOUS

HB 190 (*R.P. Bell*) allows prescribing practitioners to authorize licensed athletic trainers to possess and administer oxygen for use in emergency situations.

HB 219 (*Albo*) adds a record exemption to the Freedom of Information Act (FOIA) for confidential letters and statements of recommendation placed in the records of educational agencies or institutions respecting an application for promotion.

HB 307 (*Lingamfelter*) authorizes local school boards to offer after-school hunter safety education programs for students in the school division in grades seven through 12. If offered, information on the programs shall be displayed in each school and distributed to parents of eligible students. The Department of Game and Inland Fisheries is directed to establish a uniform curriculum for such programs.

HB 364 (*Anderson*) reestablishes the Commission on Civics Education, which expired on June 30, 2013, to be in effect through July 1, 2017.

HB 373 (*Anderson*) removes the BOE as a licensing entity for school speech-language pathologists and leaves the Board of Audiology and Speech-Language Pathology as the only licensing entity.

HB 410 (*Anderson*) and **SB 172** (*Stuart*) require non-interscholastic youth sports programs utilizing public school property to (i) establish policies and procedures on identifying and handling suspected concussions in participants, or (ii) follow the local school division's policies and procedures regarding such. The bill also adds information on the effects of concussions on academic performance to the BOE's Guidelines for Policies on Concussions in Student-Athletes.

HB 522 (*R.P. Bell*) requires community policy and management teams to establish policies and procedures for appeals by youth and their families of decisions made by local family assessment and planning teams about services to be provided to the youth and family pursuant to an individual family services plan.

HB 1011 (*Byron*) extends from July 1, 2014, to July 1, 2018, the task force appointed by the Governor to review state mandates on localities.

HB 1096 (*Filler-Corn*) requires the BOE to amend its guidelines for school division policies and procedures on concussions in student-athletes to include a "Return to Learn Protocol," with requirements that school personnel (i) be alert to cognitive and academic issues that may be experienced by a student-athlete who has suffered a concussion or other head injury; and (ii) accommodate the gradual return to full participation in academic activities by a student-athlete who has suffered a concussion or other head injury.

SB 284 (*Howell*) directs the Department of Social Services to review current policies governing kinship care placements and propose regulations governing such placements. Recommendations are due by January 1, 2016.

STUDIES AND RESOLUTIONS

HJR 1 (*Greason*) requests the DOE to study and make recommendations regarding the feasibility of implementing a Teacher Career Ladder program in Virginia.

HJR 161 (*Rust*) designates the third week in January, in 2015 and in each succeeding year, as Teen Cancer Awareness Week in Virginia.

HJR 196 (*Adams*) directs the Commission of Youth to study the use of federal, state and local funds for the public and private educational placements of students with disabilities.

SJR 104 (*Lucas*) commemorates the 60th anniversary of the 1954 Brown v. Board of Education decision.

SR 35 (*Barker*) directs the Senate Committee on Education and Health and the Senate Committee on Finance to study the potential effects of the State mandating full-day kindergarten programs.

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.