

**THE COMMONWEALTH EDUCATIONAL POLICY INSTITUTE**

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2016 General Assembly
K-12 Education Update**January 29, 2016**

The 2016 General Assembly session gaveled to order on Wednesday, January 13. The session runs 60 days and is scheduled to end on March 12. During the session, legislators will consider more than 2,500 bills and hundreds of resolutions. A two-year state budget for fiscal years 2017 and 2018 also will be developed. "Cross-over day," the last day for each house to act on its own bills, is February 16. House and Senate versions of the FY17/18 budget are slated to be released on February 21.

The House Education Committee is scheduled to meet on Mondays and Wednesdays during the session 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.

During the course of the session, legislative updates will be available weekly on the CEPI website at [General Assembly Updates](#). Specific information about the General Assembly session, action on bills and resolutions, committee and subcommittee meetings, and information about legislators can be found at [2016 Session](#). If you have a question about a legislative issue during the session, contact David Blount, CEPI Policy Associate, at dcblount2@vcu.edu.

Overview/Budget Issues

House and Senate money committees will get serious next week about crafting amendments to the biennial budget proposed by Governor McAuliffe, as three weeks remain until their budget amendments are presented. Budget amendments are expected to be extensive. Over the past week, subcommittees have been hearing presentations of member budget requests and examining the amount of money available for their program areas.

Legislators are doing this amid increasing concern about the FY16 budget meeting revenue projections. Through December, state revenue collections had grown 1.6% over the previous year, well behind the yearly estimate of 3.2% growth. Should the revenue estimate be downgraded for the current fiscal year, keep in mind that a lower FY16 budget also lowers the base budgets for FY17 and FY18. This means legislators will be looking to pare back the new spending proposed in the McAuliffe budget. By mid-February, legislators will have received January revenue collection numbers, which should provide a clearer picture of where revenues may land by the end of June. (Keep in mind that May and June are two of the biggest revenue months for the state.)

Money committee members in both the House and Senate have been talking about providing more flexibility with state dollars that will be provided for public education, particularly looking at the \$139.1 million proposed in the introduced budget for school divisions to hire additional teachers. Specifically, the House Appropriations Committee (HAC) this past week discussed a possible return to previous policy in which it shared profits from the Virginia lottery (which are Constitutionally-required to be used for educational purposes) with local school divisions on a per pupil basis. This was done back in the early 2000's, until 2004, when the State started using the lottery proceeds to replace general funds in various categorical accounts. No per pupil amounts have been shared with school divisions for the past five years. The HAC also may be looking to advance a teacher salary increase to the first year of the next biennial budget; the introduced plan included the state share of a two percent salary increase for state-recognized instructional and support position, effective at the start of FY18.

The money committees will report their respective amendments to the McAuliffe budget on February 21.

Click [here](#) for additional information about Governor McAuliffe's proposed changes to the public education budget for the remainder of FY16; and [here](#) for the proposed FY17/FY18 education budget.

Education Legislation

The House and Senate now have both taken action on legislation to allow participation by homeschoolers in public high school interscholastic activities governed by the Virginia High School League. [HB 131](#) was approved Wednesday on the House floor by a 58 to 41 vote. In the Senate Education and Health Committee, the patron of [SB 612](#) noted that 31 of 50 states allow this sort of participation by homeschoolers in public school activities. The bill was approved in committee on an 8 to 7 party-line vote and awaits a vote on the Senate floor.

The House Education Committee narrowly approved [HB 518](#), which requires school boards to allow students in a school identified in need of improvement under the federal Every Student Succeeds Act to attend another school in the same division. The vote was 12 to 10 in the committee. Opponents of the measure argued that this option already is available to students.

A House Education subcommittee has recommended approval of [HB 516](#), which directs the Board of Education (BOE) to establish a policy on school obligations and parent options concerning the use of instructional materials that include sexually explicit content. The bill grew out of a case involving a summer reading assignment in which the student was exposed to explicit content. The BOE already is taking a look at this issue. On a split vote, the same subcommittee has endorsed [HB 357](#), which requires at least 20 minutes of physical activity per day or an average of 100 minutes per week during the regular school year for K-5 students. The Senate already has endorsed its version of the bill, [SB 211](#), by a vote of 22 to 17. Finally, [HB 306](#) to allow school buses to display advertising on the sides or rear of school buses was defeated in the subcommittee.

In the Senate Education and Health Committee this past week, the panel unanimously approved [SB 245](#), which requires each community college to enter into agreements with the local school divisions it serves to facilitate dual enrollment of students into a program preparing students to pass 1) a high school equivalency exam, and 2) a credential, certification or license attainment program.

The Committee also reported [SB 368](#) to authorize the BOE to review the accreditation status of a school or division once every two years or every three years. Last year, legislation was approved to allow the BOE to review such status for a school once every three years, if a given school has been fully accredited for three consecutive years. The bill also requires any school that receives a multiyear accreditation status other than full accreditation to be covered by a BOE-approved multiyear corrective action plan for the duration of the period of accreditation. Finally, the Committee approved [SB 665](#) to require a pre-participation physical examination for any student wishing to participate on a middle school athletics team.

Concerning study resolutions, a House Rules subcommittee has endorsed [HJ 50](#), which requests the Department of Education to determine the value of applicable lands in counties that utilize use value assessment for agricultural, forest and open space lands, and to recalculate Local Composite Index for each locality utilizing such values. Land under use value assessment is taxed at much lower rate than other real property. The current LCI formula utilizes the fair market value of property as one of its components.

Pending in the respective Rules Committees are proposed study resolutions, [HJ 112](#) and [SJ 85](#), which would require a two-year joint subcommittee to examine the need for revisions to, or reorganization of, the Standards of Quality. Also, [SJ 88](#) and [HJ 151](#) would have the Joint Legislative Audit and Review Commission (JLARC) study specific early childhood development programs in order to determine the best strategy for future early childhood development investments. [SJ 81](#) is a resolution in Senate Rules calling for JLARC to study compression in the teacher salary scale in local school divisions, analyze the effect of compression on teacher recruitment and retention and identify necessary adjustments.

Here are a few additional bills that have been introduced:

- [SB 734](#) makes several changes to the charter schools law, including requiring them to be administered and managed by a nonprofit education organization under the control of a governing board, in lieu of a management committee ([HB 565](#) is the House counterpart).
- [SB 759](#) requires each local school board to employ one full-time equivalent advisor who specializes in working with students with dyslexia.
- [SB 763](#) requires a local school division, upon written request by a parent or employee, to operate one or more cameras in certain self-contained or other special education classrooms; however, cameras shall not be placed and operated if a parent of another student in the classroom objects.

E-mail Response

Questions or seeking more information? Please [contact CEPI](#) if you have any questions or need additional information about the 2016 General Assembly.