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2012 General Assembly Update**Week 3 Update—January 27, 2012****The 2012 General Assembly is now in session**

The 2012 General Assembly session began Wednesday, January 11, 2012. The session runs 60 days and is scheduled to end on March 10, 2012. "Cross-over day," the last day for each house to act on its own bills, is February 14. House and Senate versions of the two-year budget for fiscal years 2013 and 2014 will be released on February 19.

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 News

House and Senate money committees will get serious next week about crafting amendments to the biennial budget proposed by Governor McDonnell. House Appropriations subcommittees have been hearing presentations of member budget requests and examining the amount of money available for their program areas. Meanwhile, the Senate Finance Committee, which has a new chairman, five new members and all new subcommittee chairmen, has been educating its members on various funding schemes currently in place. Both committees will be taking a serious look at the Virginia Retirement System bills before them and the direction they wish to take in funding and reforming the state pension system. The Senate Finance Committee has appointed a special subcommittee to examine proposed retirement legislation submitted in the Senate. The money committees will report their respective amendments to the McDonnell budget on February 19. By that time, they will have received an updated state revenue forecast based on state tax collections for the first seven months of the fiscal year.

In last week's newsletter, we noted proposed budget amendments that had been submitted by legislators. Of particular note was one that would restore \$109 million over the biennium to update the FY10 base year non-personal costs up to the beginning of FY13. This technical update was not included in the introduced budget submitted in December. Non-personal items like transportation, health insurance and utilities have seen cost inflation over the last two years. Therefore, it is instructive to note that the price of gasoline was \$2.54 a gallon on Jan. 1, 2010, while at the beginning of this year, it was well over \$3.00 and could increase another 25 cents in the near term. Health insurance premiums also have seen increases over the last several years, including a nine percent increase in 2011. Finally, electricity provided to governments by Dominion also jumped a minimum of nine percent last July. Without updates for inflation, the state would be basing its funding on FY10 prices, but school divisions will be paying for these items based on current costs.

The chairman of the House Appropriations Committee proposed a one cent sales tax increase ([HB1239](#)), subject to approval by the voters in November, with one-half of the revenues generated to be used for secondary road construction, road maintenance and bridge repair, and one-half to be used for funding mental health services, K-12 education, and higher education. It was estimated that the additional penny tax would generate in excess of \$1 billion annually. The bill was heard the past week in a House Finance subcommittee. With apologies and appreciation to the patron, the subcommittee voted to “gently” table the measure. Click [here](#) for additional information about Governor McDonnell's proposed changes to the public education budget for FY12; and [here](#) for the proposed FY13/FY14 education budget.

Education Legislation

This past week in the Senate Education and Health Committee, perennial legislation to repeal the so-called Kings Dominion law to allow school boards to set the school calendar was defeated. School divisions lined up in support of [SB 457](#), but were opposed by the hospitality/travel industry and various business groups who feared earlier school start dates would eat into revenues and worker availability. The bill had the support of Governor McDonnell, but after only a few minutes of discussion, the committee defeated the measure on a 9 to 6 vote. However, numerous companion bills were submitted on the House side, and [HB 1063](#) was recommended for approval by a House Education subcommittee. Bills to relax or repeal the law have been submitted most every year since it was first enacted in the mid-1980s.

Three bills were introduced in the House to prohibit public schools from joining the Virginia High School League, which does not allow participation by qualifying home school students in interscholastic activities. After some emotional testimony and lengthy discussion, a House Education subcommittee recommended approval of [HB 947](#). Similar bills have been introduced many times in the past, only to fail in committee. A special subcommittee of the House Education Committee this past fall studied the issue of allowing homeschool participation, but declined to make a recommendation.

The full Senate has approved [SB 185](#), which would direct the Board of Education (BOE) to require only math and English Standards of Learning assessments for third graders, and also gave a thumbs up to [SB 278](#), which would shift the date of effective contract renewal for teachers without continuing contract status from April 15 to June 15. The latter measure passed on a 28 to 11 vote. [HB 96](#) passed the House; it delays until July 1, 2013, the implementation of new requirements related to the accreditation of schools, passing rates and graduation.

In other committee action:

House Education approved [HB 1061](#), which directs the BOE to modify the credits necessary for a student to earn a standard or an advanced studies diploma. The advanced studies diploma shall be the recommended diploma, while the standard diploma will include a concentration in career and technical education and a requirement to earn a career and technical education credential. It also reported [HB 642](#), which requires the BOE to adopt regulations adjusting the formula for calculating the final high school accreditation to add points for each student obtaining a diploma and an industry certification.

[SB 119](#) was defeated in Senate Education and Health on a party-line 8 to 7 vote. The bill would have prohibited a school board from hiring substitute teachers in the core subject areas in middle and high schools, such that staffing in these areas is by majority of substitutes or unlicensed teachers. The bill also provided that substitutes not be employed for more than 90 consecutive or alternating teaching days in the same middle or high school class or public school in these subjects in a year. [SB 168](#) to prohibit the use of closed-circuit cameras for monitoring student conduct in a school, unless necessary to protect the physical safety and security of the students, was carried over for the year in Education and Health.

Two bills that would allow local school divisions to use any unexpended state funds to provide a one-time bonus to teachers of up to three percent of salary have been shipped off the money committees. [SB 553](#) was

referred to the Senate Finance Committee, while [HB 547](#) was sent to the House Appropriations Committee. [HB 224](#), which directs the Board of Education (BOE) to adopt regulations allowing students to retake Standards of Learning tests they do not pass, was sent the House Appropriations Committee.

A few education-related study resolutions also were submitted to the General Assembly. Already, a House subcommittee has defeated measures that called for a Joint Legislative Audit and Review Commission (JLARC) examination of the Composite Index of Local Ability to Pay, and also a study of suspension and expulsion practices, namely to consider school discipline practices and effective alternatives to suspension and expulsion and make recommendations concerning the minimization of disruption to regular education programs. Among resolutions still pending is [HJ 123](#), which requests a BOE study of the causes of chronic school absenteeism and the efficacy of establishing uniform requirements for maximum absences from school attendance.

E-mail Response

Questions or More Information? Please [contact CEPI](#) if you have any questions or need additional information about the 2012 General Assembly.