



## THE COMMONWEALTH EDUCATIONAL POLICY INSTITUTE

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### 2015 General Assembly K-12 Education Update

*The 2015 General Assembly session began Wednesday, January 14, 2015. The session runs 46 days and is scheduled to end on February 28. "Cross-over day," the last day for each house to act on its own bills, is February 10. House and Senate amendments to the two-year budget for fiscal years 2015 and 2016 will be released on February 8.*

*The House Education Committee meets on Mondays and Wednesdays at 8:30 a.m. in House Room D. The Senate Education and Health Committee meets 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 [2015 session](#).*

#### January 30, 2015 – Review of Education Legislation

##### State Budget Issues

Budget writers in the General Assembly are working on plans to provide pay raises for state and local employees, including teachers, as they race toward a February 8 deadline to produce amendments to the state's biennial budget. House Appropriations Committee members have told their colleagues that the Committee will propose FY16 pay raises for state employees, state-supported local employees, college faculty and teachers, to be effective August 1, contingent on revenues being available to fund the pay hikes. The Senate Finance Committee also is considering ways to craft a pay raise for workers. House leaders say they are looking to provide pay increases of one to two percent, which could cost in excess of \$100 million. They are hopeful that payroll tax revenues will continue to grow, as has been the case in recent months, making the pay raises possible. A revised revenue report should be available by the middle of February and can be considered by lawmakers as they shape amendments to the FY15/16 state spending plan by the end of next month.

Representatives from the Virginia Retirement System (VRS) told the Senate Finance Committee this past week that teacher retirement rates will continue to creep up over the next five years to over 15%, then begin to fall after 2020, as the "hybrid" pension plan approved several years ago has a track record and the 10-year payback from the 2010 deferred contribution has ended. In the current biennial budget, the teacher contribution rate is 14.5%; however, the governor's

proposed budget would drop the rate to 14.15% as a result of a proposed stock sale that would reduce the unfunded teacher pension liability.

Superintendent of Public Instruction Steve Staples spoke earlier this week to the Elementary and Secondary Education subcommittee of House Appropriations about some of the challenges to school improvement that are being seen in Virginia. He made some eye-opening points about the past five years:

- The number of economically-disadvantaged students has grown from 34% to 41% of Virginia's public school students.
- English Language Learners in Virginia have grown to 95,000, an increase of 15%.
- The percentage of students with the most need for intensive special education, such as autism and other health impairments, has grown by 23% to 46,865.

He also noted that in FY14, state funding for direct aid to public education was more than \$308 million less than in FY07, and that since 2008, K-12 public education staffing has been reduced by 5,000 positions throughout the state.

### **Education Legislation**

This past week saw a lot of discussion in both the House and Senate about the use of seclusion and restraint in public schools. The bills are [HB 1443](#) and [SB 782](#), which as proposed, would require the Board of Education (BOE) to adopt regulations on the subject that, among other things, incorporate federal guidelines. Children and adults testified about the horrors of the use of such practices in schools and it was noted that Virginia is among 14 states not in conformity with federal provisions. SB 782 passed the Senate on a 35 to 4 vote after being amended to be "consistent" with the federal guidelines; HB 1443 was recommended for approval by a House Education subcommittee.

Both chambers are pushing to repeal the A to F grading system approved just two years ago. [HB 1672](#) would repeal the system and require the BOE, in consultation with the Standards of Learning Innovation Committee, to redesign the School Performance Report Card by July 1, 2016. The bill is in the House Appropriations Committee. Meanwhile, the Senate version of the bill, [SB 727](#), was approved by the Education and Health Committee on a party-line 8 to 7 vote.

Both chambers also are moving bills through the process that would conform the county budget preparation and approval process to that of cities, specifically providing for approval by May 15 rather than May 1. [HB 1484](#) has been approved by the House, while [SB 842](#) awaits approval on the Senate floor.

It appears that efforts to overturn Virginia's post-Labor Day school opening requirement will be stifled once again in the General Assembly. On identical 10 to 5 votes, the Senate Education and Health Committee defeated two bills, [SB 1131](#) and [SB 1249](#), that would have given local school boards the responsibility for determining the opening day of school. Similar House bills will be considered next week.

The House Education Committee has approved the perennial legislation authorizing local school boards to permit homeschool students to participate in interscholastic activities in the school division. [HB 1626](#) was reported from the Committee on a 13 to 9 vote and ultimately approved by the House on a 57 to 41 vote. In past years, the bill has floundered in the Senate Education

and Health Committee. The Committee defeated [HB 1415](#) that would have directed the Virginia High School League (VHSL) to either charge each member school the same dues or provide proportional membership on the VHSL Board based on student participation. The VHSL testified that the only thing driving differences in fees for schools is insurance coverage, which is based on the number of participants.

House Education defeated a bill that would have directed revision of the education funding formula by revising components of the Local Composite Index (LCI) calculation to recognize the land use value (agriculture, forestry, etc.) used by many counties, rather than the fair market value of such property. Rural localities that incentivize preservation of open space would benefit from [HB 1514](#). A similar bill was defeated in the Senate Education and Health Committee. Resolutions to direct a study of these LCI issues have had different fates. [HJ 514](#) was defeated in a House Rules subcommittee, while [SJ 288](#) awaits approval on the Senate floor. On a related note, [HB 2394](#) is in the House Education Committee; it would establish a process for appealing the LCI to the Department of Education.

[HB 1675](#) is on the House floor for approval. It permits local school divisions to waive the 140 clock hour instruction and SOL test score requirements in order to earn a verified unit of credit, upon satisfactory proof that a student has learned the relevant SOL content and skills. [SB 982](#) is a similar bill unanimously approved by Senate Education and Health. Finally, [SB 900](#), which requires the BOE to promulgate regulations authorizing local school divisions to determine the date for administering SOL assessments, was approved unanimously in the Senate Education and Health Committee this past week.

### **E-mail Response**

Questions or seeking more information? Please [contact CEPI](#) if you have any questions or need additional information about the 2015 General Assembly.