



VCU L. Douglas Wilder School of Government and Public Affairs

THE COMMONWEALTH EDUCATIONAL POLICY INSTITUTE

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2015 General Assembly Approved Legislation for K-12 Education

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](#). This is a final compilation of approved legislation dealing with K-12 education.

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Finance

HB 1338 (*Farrell*) provides an exception to the methodology used by the Department of Education (DOE) for allocating school division expenditures to instructional and non-instructional costs in a manner consistent with the Standards of Quality (SOQ), to allow expenditures for hardware necessary to support electronic textbooks to be allocated as instructional costs.

HB 1484 (*Tyler*) and **SB 842** (*Lucas*) conform the county school budget preparation and approval process to that of municipalities, providing for approval by May 15 rather than May 1.

HB 1969 (*Jones*) directs the Virginia Retirement System (VRS) to review cash balance retirement plans implemented in other statewide retirement systems and develop and submit a proposed plan to the General Assembly by November 1.

HB 2020 (*BaCote*) extends until July 1, 2020, Code provisions that allow retired VRS members to be hired as teachers or administrators, under certain conditions, without interrupting their retirement benefits; employment must be in a critical shortage area identified by the State Superintendent.

HB 2178 (*Poindexter*) and **SB 1162** (*Watkins*) allow school divisions to establish and administer their own deferred compensation and cash match plans for the hybrid retirement program; employees of such school divisions would have the option of participating in such programs. The bills have a delayed effective date of January 1, 2016.

SB 1286 (*McDougle*) requires local school divisions to publish the annual school budget in 'line item' form on its website; current law requires publication of the budget but does not specify 'line item' form.

SB 1319 (*Saslaw*) combines the three existing "sales tax holidays" (for school supplies, certain energy efficient products and hurricane preparedness) into one three-day holiday the first weekend in August. The sales tax holiday for school supplies will end on July 1, 2017.

Governance and Operations

HB 1531 (*Minchew*) and **SB 803** (*Favola*) allow counties in Planning District 8 (Northern Virginia) to increase or decrease the speed limits in school zones; current law allows cities and towns to do so.

HB 1675 (*Greason*) and **SB 982** (*Garrett*) permit local school divisions to waive the 140 clock hour instruction requirement in order to earn a standards unit of credit, upon proof that a student has learned the relevant Standards of Learning (SOL) content and skills.

HB 1676 (*Byron*) allows local school boards to enter into agreements for postsecondary credential, certification or license attainment with Virginia community colleges, universities or educational institutions that offer a career and technical education curriculum.

HB 1714 (*LeMunyon*) gives local school divisions flexibility to administer the science SOL test prior to grade eight, once the student has received instruction in grade six science, life science and physical science.

HB 1952 (*Poindexter*) allows a local school board, notwithstanding any regulation to the contrary, to sell or transfer any of its school buses to another school division or purchase a used school bus if it meets specified conditions.

HB 2245 (*Head*) and **SB 1339** (*Smith*) allow school board clerks to keep meeting minutes, receipts and disbursements and other official papers electronically.

SB 821 (*Miller*) abolishes the Opportunity Educational Institution, which was approved two years ago to provide for management of low-performing schools to be transferred to this statewide school division.

SB 1021 (*Puller*) authorizes the Board of Education (BOE) to grant a waiver to a school division that is unable to meet the required 990 instructional hours in a school year because of severe weather conditions or other emergency situation.

SB 1046 (*Hanger*) authorizes the governing bodies of three or more cities, counties or school boards, if they composed the membership of a multiple employer welfare arrangement on December 31, 2014, to form a benefits consortium for the purpose of establishing a self-funded employee welfare benefit plan.

Instruction, Assessment and Accountability

HB 1303 (*Farrell*) and **SB 900** (*Barker*) require the DOE to make available to school divisions SOL assessments typically administered by middle and high schools by December 1 of the school year in which such assessments are to be administered or when newly-developed assessments are available, whichever is later.

HB 1351 (*Ramadan*) and **SB 916** (*Wexton*) require the BOE to establish, for high school seniors graduating in 2016, criteria for awarding a diploma seal of biliteracy to any student who demonstrates proficiency in English and at least one other language.

HB 1419 (*Head*) requires the DOE to develop processes for informing school divisions of changes in the SOL.

HB 1490 (*Habeeb*) and **HB 874** (*Cosgrove*) direct the BOE to promulgate regulations to provide the same criteria for eligibility for an expedited retake of any SOL test, with the exception of the writing SOL, to each student regardless of grade level or course.

HB 1615 (*Greason*) permits end-of-course and end-of-grade SOL tests for English, mathematics, science, and history and social science to be integrated to include multiple subject areas.

HB 1616 (*Greason*) requires a sequence of courses constituting a career and technical education program to be aligned with national certification requirements, if any, unless such program is offered by industry in cooperation with a local school board.

HB 1672 (*Greason*) and **SB 727** (*Black*) repeal the A-F grading system and require the BOE, in consultation with the SOL Innovation Committee, to redesign the School Performance Report Card by October 1, 2016.

HB 1674 (*Greason*) allows the BOE to review school accreditation status once every three years, if a given school has been fully accredited for three consecutive years. If the BOE finds that the school would have been accredited every year during the three-year period, it may accredit the school for another three years. The Board shall review the accreditation status of any school that a) within the triennial review period, would have failed to achieve full accreditation in any given year, or b) has had a boundary adjustment in the previous year affecting at least 10 percent of the school population.

HB 1873 (*Krupicka*) and **SB 1320** (*Locke*) direct the BOE to promulgate regulations establishing additional accreditation ratings that recognize the progress of schools that do not meet accreditation benchmarks, but that have significantly improved their pass rates; are within specified ranges of benchmarks; or have demonstrated significant growth for the majority of their students.

HB 2276 (*Orrock*) provides that a student can receive competency-based instruction to satisfy standard diploma requirements in lieu of achieving a career and technical education credential, when such credential in a particular subject area is not readily available or appropriate or does not adequately measure student competency.

Personnel

HB 1320 (*Farrell*) prohibits the BOE from requiring teachers seeking licensure renewal to satisfy any renewal requirements by completing coursework and earning credit at an institution of higher education.

HB 1587 (*Landes*) provides that in cases in which a school board employee is directly exposed to body fluids of a minor student in a manner that may transmit HIV or the hepatitis B or C virus, the parent or guardian of such student shall be notified prior to initiating testing of the student's blood specimen for infection with such viruses.

HB 2137 (*Yancey*) allows the BOE to issue provisional licenses to career and technical education teachers who have not yet attained the required industry certification credential.

SB 1117 (*Norment*) stipulates that, in cases of alleged child abuse or neglect involving a school division employee in the course of employment, the existing time period for investigating reports of alleged abuse or neglect, determining whether the report is founded or unfounded, and transmitting the required report to the state shall be mandatory, and every local social services department shall make the required determination and report within the specified time period.

School Environment

HB 1366 (*Campbell*) provides that a sex offender who is prohibited from entering school or day center property who petitions the circuit court for permission to enter such property, must cause notice of the time and place of the hearing on his petition to be published once a week for two successive weeks in a newspaper of general circulation. The bill also requires, in the case of a public school, the petitioner to provide notice of his petition to the chairman of the relevant school board.

HB 1443 (*R.P. Bell*) and **SB 782** (*Favola*) require the BOE to adopt regulations on the seclusion and restraint in public schools that, among other things, are consistent with federal guidelines.

SB 1191 (*Norment*) amends the statute that makes it a crime to possess a firearm, stun weapon, knife or certain other weapons on school property, to require that the person knowingly possess the firearm or other such weapon.

Students

HB 1307 (*Landes*) and **SB 1293** (*Martin*) prohibit the DOE and local school boards from requiring any student enrolled in a public school or receiving home instruction, or his parent, to provide the student's social security number. The DOE is required to develop a system of unique student identification numbers; each local school board shall assign such a number to each of its students.

HB 1334 (*Landes*) requires the DOE to develop and make available on its website policies to ensure state and local compliance with the federal Family Educational Rights and Privacy Act and state law applicable to students' personally identifiable information. The DOE or local school division must notify the parent of any student whose records are believed to have been disclosed in violation of the Act.

HB 1679 (*R.P. Bell*) requires local school boards to (i) annually post on their website information about educational and other services for hearing or visually impaired students that are available outside the school division; (ii) inform parents of its availability; and (iii) ensure that such information is available in an accessible format for review by parents who do not have Internet access.

HB 1698 (*Wilt*) requires that parents receive additional information about student surveys or questionnaires on sexual, medical or mental health information or information on health risk behaviors. Such information would include how input collected by the questionnaire or survey will be used, who will have access to it and steps to be taken to protect student privacy. The bill also provides that no questionnaire or survey requesting that students provide sexual information shall be administered to any K-6 student.

HB 2350 (*Austin*) directs the DOE, in collaboration with the Virginia Information Technologies Agency, to develop a model data security plan that may be used by school divisions to implement policies and procedures to protect student data and data systems. The bill authorizes the DOE to convene a working group to assist with initial development of the model plan; if convened, the group shall submit a report by July 1, 2016 on the cost of developing such plan.

The DOE also must designate a chief data security officer to assist local school divisions with the development or implementation of data security plans.

HB 2373 (*Ramadan*) and **SB 1354** (*Reeves*) direct the DOE to establish a process for the identification by local school divisions of newly enrolled students who have a parent in the uniformed services, and require local school divisions to identify such students in accordance with the process. Data collected from such identification process shall be made available to local, state and federal entities for the purposes of becoming eligible for nongeneral fund sources and for receiving services.

SB 1236 (*Favola*) eliminates the term "special diploma" and specifies that students identified as disabled who complete the requirements of their individualized education programs and meet requirements prescribed by the BOE, but do not meet the requirements for any named diploma, shall be awarded Applied Studies diplomas by local school boards.

SB 1383 (*Black*) prohibits a local school division from disclosing to the DOE or outside entities information provided by a parent or student who has been excused from school attendance for religious reasons or for home instruction.

Miscellaneous

HB 324 (*R.P. Bell*) establishes the Virginia Virtual School for the purpose of providing online educational programs and services. For each student enrolled, the average per-pupil share of state SOQ funding would be transferred to the virtual school. The bill must be passed again in 2016 in order for it to become effective.

HB 1335 (*Landes*) requires the Secretary of Education to report to the General Assembly on coordination efforts among agencies within the Secretary's purview. The bill also requires a DOE employee to serve as its liaison to the State Council of Higher Education for Virginia (SCHEV) and the State Board for Community Colleges (SBCC), the latter of which also shall designate a liaison to the BOE.

HB 1336 (*Landes*) requires SCHEV to establish a uniform policy for granting undergraduate course credit to entering freshman students who have taken Advanced Placement, Cambridge Advanced, College-Level Examination Program, or International Baccalaureate examinations. The bill takes effect July 1, 2016.

HB 1612 (*Greason*) requires school service providers that operate certain websites, mobile applications or online services to take certain actions to protect student and teacher information.

HB 1754 (*LaRock*) and **SB 1403** (*Martin*) expand the list of tests that a parent can provide to a school division superintendent to show that a home-schooled student has been provided an adequate education during the past school year.

HB 1822 (*Ward*) and **SB 1024** (*Alexander*) transfers, from the SBCC to the Commissioner of Labor and Industry, the duty to establish policies governing the provision of apprenticeship-related instruction delivered by state and local public education agencies and to provide for the administration and supervision of related and supplemental instruction for apprentices.

HB 1899 (*DeSteph*) and **SB 1198** (*Wagner*) extend the period during which a relevant standing committee of the General Assembly or the Joint Commission on Administrative Rules may transmit, with the Governor's concurrence, a statement directing suspension of the effective date of a portion or all of a final regulation.

HB 2083 (*Peace*) and **SB 1041** (*Hanger*) direct community policy and management teams to establish, as part of policies governing referrals and reviews of children and families to family assessment and planning teams or a collaborative, multidisciplinary team, a process for parents and persons with primary physical custody of a child to refer children in their care to the teams.

HB 2114 (*R.P. Bell*) requires the BOE to establish regulations setting nutritional guidelines for competitive foods to permit schools to have 30 fundraisers per year during which food other than competitive food may be sold to students. Under federal law, unless a state board of education adopts rules governing their sale, schools are prohibited from selling foods such as doughnuts, pizza or cookies during school hours, because they are not compliant with the federal school lunch and breakfast programs.

HB 2169 (*Hester*) changes from November 15 to December 1 the date by which the BOE must submit to the Governor and the General Assembly a report on the condition and needs of public education in Virginia.

HB 2318 (*Orrock*) requires the BOE to report high school graduation rates that exclude any student who fails to graduate because he is in the custody of the Department of Corrections, the Department of Juvenile Justice or local law enforcement; such rates shall be used for purposes of the Standards of Accreditation. The bill takes effect July 1, 2016.

SB 850 (*Favola*) changes the name of the Comprehensive Services Act for At-Risk Youth and Families to the Children's Services Act.

SB 969 (*Ruff*) clarifies that the gathering of employees or of two or more members of a public body at certain functions is not deemed a meeting for purposes of the Freedom of Information Act (FOIA).

Studies and Resolutions

HJR 558 (*Orrock*) requests DOE and SCHEV to examine shortages of qualified teachers generally and in certain teaching endorsement areas and to recommend strategies for addressing the shortages.

HJR 586 (*Yost*) requests the Department of Behavioral Health and Developmental Services to study the benefits of offering voluntary mental health screenings to students in public elementary schools.

HJR 644 (*Fariss*) encourages Virginia localities and school divisions to partner with local law-enforcement agencies regarding wireless Internet access.

HJR 651 (*Peace*) and **SR 91** (*Stosch*) celebrate the life of Dr. William C. Boshier, Jr., CEPI Executive Director, who passed away on December 1, 2014.

HJR 692 (*Scott*) designates the first full week of October, in 2015 and in each succeeding year, as Farm-to-School Week in Virginia.

SJR 218 (*Howell*) requests the DOE to study the feasibility of implementing a program in Virginia to track teacher turnover by developing exit questionnaires and other means.

SJR 256 (*Obenshain*) is a proposed change to the Virginia Constitution that would grant authority to the Board of Education, subject to criteria and conditions prescribed by the General Assembly, to establish charter schools. Proposed Constitutional amendments must pass two sessions of the General Assembly, with an intervening election and in the same form, before being put to the voters.

Contact Us

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