

**THE COMMONWEALTH EDUCATIONAL POLICY INSTITUTE**

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

**2013 General Assembly Update****Week 3 Update—January 25, 2013**

The 2013 General Assembly session began Wednesday, January 9, 2013. The session runs 46 days and is scheduled to end on February 23, 2013. “Cross-over day,” the last day for each house to act on its own bills, is February 5. House and Senate versions of the two-year, amended budget for fiscal years 2013 and 2014 are expected to be released on February 3.

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 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.

**State Budget**

Governor McDonnell’s budget plan proposed a 2% compensation supplement for local school instructional personnel for FY14. This incentive funding would be available for state-funded Standards of Quality (SOQ) instructional positions, including teachers, principals, assistant principals, guidance counselors, librarians and instructional aides. It would not cover pay increases for additional instructional personnel employed beyond those that are recognized by the state funding formula, nor would it cover classified/support personnel. A local match would be required to receive the state funds.

This past week, House Republican leaders indicated that they will look for funding in the House version of the budget (to be released February 3) to also cover all SOQ-funded positions (i.e. support positions). Such a move would be consistent with previous General Assembly actions to provide funding for both SOQ instructional and support staff. In response to some concerns expressed by school divisions that giving a salary increase to be effective July 1 will be difficult to accomplish, the House Appropriations Committee may look to provide additional time for localities to be allowed to provide such a raise.

Click [here](#) for additional information about Governor McDonnell’s proposed changes to the public education budget for FY13 and FY14.

**Education Legislation**

This past week was a busy one for both the House and Senate Education Committees, as the committees work to clear their dockets before the end of next week. A House subcommittee has endorsed the so-called “Tebow” bill (named for pro football quarterback Tim Tebow), [HB 1442](#). It prohibits public schools from joining the Virginia High School League (VHSL) if the organization does not allow participation by qualifying home school students in interscholastic activities. The Senate Education and Health Committee next week will consider [SB 792](#) and [SB 812](#), the Senate versions of the Tebow bill. Similarly, the House

subcommittee backed [HB 1497](#) which prohibits schools from joining the VHSL if it does not allow students to participate in activities in situations where their military parents have left the school division and such student returns or remains in the relevant school division. The legislation was brought in response to a situation in the Tidewater area.

[HB 1674, which](#) requires the Board of Education (BOE) to grant to each elementary or secondary schools the same release from policies or regulations granted to any charter school in the same local school division, and permits the such local school board to apply such release to any school in the school division, also has been recommended for approval by a subcommittee.

[HB 2068](#) requires local school divisions to provide 1) early intervention reading services to students in grades K-2 who demonstrate deficiencies based on diagnostic reading tests; and 2) algebra readiness intervention services to students in grades six through nine who are at risk of failing the Algebra I test. It is on the House floor. The Senate counterpart, [SB 1171](#) is in the Senate Finance Committee.

[HB 2098](#) also is on the House floor for approval. It requires any school board that has requested a release from certain state regulations to demonstrate that such release will increase the quality of instruction and improve student achievement in the affected school or schools. The bill was amended to permit a local school board to assign instructional personnel to schools with the greatest needs, as long as the school division employs the required numbers of personnel division-wide. The Senate already has passed a similar version ([SB 1189](#)). Finally, [HB 2144](#) awaits approval on the House floor. It permits the BOE to grant a two-year waiver from the third grade Standards of Learning (SOL) testing requirement in science or history and social science, or both, for schools that have less than a 75% pass rate in reading the previous year.

[HB 1388 and SB 936](#) have passed the House and Senate, respectively. The bills change the date by which a school board is required to give notice of reassignment to a principal, assistant principal or supervisor under continuing contract status from April 15 to June 15.

Elsewhere, [HB 1555, which](#) establishes the Virginia State Virtual School as a statewide school division to be supervised and administered by the BOE, has been referred to the House Appropriations Committee. A subcommittee defeated [HB 1719, which would have replaced](#) current BOE requirements regarding student athlete concussion policies in student athletes with a more specific directive to develop guidelines on concussion education, awareness, and management plans. The House Courts of Justice Committee defeated [HB 2277, which](#) would have required that school security officers be retired law-enforcement officers or persons certified as a law-enforcement officer within the previous five years, and that they be employed by local law-enforcement agencies.

The Senate Education and Health Committee unanimously approved [SB 1162](#), which directs the BOE to promulgate regulations to provide the same criteria for eligibility for an expedited retake of an end-of-course SOL test to each student regardless of grade level or course. [SB 787](#) would have allowed school divisions to provide, and local governments to pay for, a health insurance credit for all retired school employees (currently provided only to retired teachers). It was defeated in the Senate Finance Committee. A House bill requiring that such credits be provided to all employees also was defeated in a House subcommittee. Senate Finance also defeated [SB 1000](#) to repeal legislation approved last year related to tax credits for donations to scholarship foundations for K-12 students attending nonpublic schools.

On a narrow 8 to 7 vote, the Senate Privileges and Elections Committee approved [SJ 302](#), a proposed change to the Virginia Constitution that would grant the BOE the authority to establish charter schools. Currently, that authority is reserved for local school boards.

Next week, committees will be hearing the multitude of bills to alter the post-Labor Day school opening requirement. We'll report on action taken on those bills in next week's summary.

**E-mail Response**

Questions or More Information? Please [contact CEPI](#) if you have any questions or need additional information about the 2013 General Assembly.