



THE COMMONWEALTH EDUCATIONAL POLICY INSTITUTE
CENTER FOR PUBLIC POLICY - L. DOUGLAS WILDER SCHOOL OF GOVERNMENT AND PUBLIC AFFAIRS

2014 General Assembly
K-12 Education Update

January 17, 2014

The 2014 General Assembly session began Wednesday, January 8, 2014. The session runs 60 days and is scheduled to end on March 8. "Cross-over day," the last day for each house to act on its own bills, is February 11. House and Senate versions of the two-year budget for fiscal years 2015 and 2016 will be released on February 16.

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

Overview/Budget Issues

More than 2,300 bills and resolutions now have been submitted for consideration in the General Assembly. Friday afternoon was the deadline for legislators to submit bills. Committee work now kicks into high gear, as three full weeks remain until the mid-February "crossover" of bills.

Also this past week, hundreds of amendments to the proposed state budget that have been crafted by lawmakers were released. Some of the most prominent education-related proposals provide for the following:

- Several amendments propose to capture savings by reducing the number of prescribed Standards of Learning (SOL) assessments.
- Numerous amendments would increase funding for Project Discovery by \$1.6 million from the current \$425,000 per year.
- Several amendments would provide more than \$36 million each year of the biennium to fully fund the Cost of Competing Adjustment rate for support positions in primarily Northern Virginia school divisions.
- More than \$38 million each year is proposed to include the inflation factor adjustment for the non-personal cost update for the 2014-2016 re-benchmarking calculation; this was not done in the introduced budget.
- A language amendment changes the flow of dollars for the state's share of teacher retirement costs, so that the state would make its share of payments directly to the

Virginia Retirement System (VRS), instead of the state making payments to local school divisions, who in turn make the full payments to VRS. This is intended to result in the allocation to the state of its share of unfunded liability for teacher retirement, rather than the full liability being borne solely by localities.

- Amendments would provide additional general funds for at risk programs, which in turn, would free up lottery funds for the Virginia Preschool initiative.
- Funding for the Opportunity Educational Initiative (OEI) is proposed to be eliminated.

Secretary of Finance Ric Brown has told legislators that for the remainder of the current fiscal year, there likely won't be a "break out" month in terms of revenue collections, but that collections likely will meet expectations for FY14. Halfway through the fiscal year, revenue collections are up seven tenths of one percent; revenues are projected to grow 1.7% over the course of FY14. Budget writers will receive an update revenue estimate in February (to account for January collections) to be used in shaping the state budget over the final weeks of the session.

Click [here](#) for additional information about Governor McDonnell's proposed changes to the public education budget for the remainder of FY14; and [here](#) for the proposed FY15/FY16 education budget.

Education Legislation

The House and Senate Education Committees begin their work this past week, with the pace of their efforts expected to increase rapidly for the Committees and their subcommittees over the next three weeks.

In the House Education Committee, four subcommittees have been consolidated into three, with key subcommittees for K-12 education being the Education Reform subcommittee and the Elementary and Secondary subcommittee. The Education Reform subcommittee will consider the multitude of bills introduced pertaining to SOL assessments and the A to F grading system. Specifically, those bills are expected to be considered at a meeting of the panel on Tuesday, January 28. [HB 930](#) will be the primary legislative vehicle for such changes coming out of the House of Delegates. The subcommittee also has received bills related to charter and virtual schools. A more complete round-up of the various assessment and grading system bills will be included in next week's update.

In the Senate Education and Health Committee this past week, the Committee approved [SB 325](#), which allows a public elementary school that had an adjusted pass rate of less than 75% on the third grade SOL reading assessment administered during the previous school year to apply to the Board of Education (BOE) for a two-year waiver from the science or history and social science SOL assessment requirement, or both, for third grade students. Previously, the Committee approved, and the Senate has now passed [SB 388](#), which requires the BOE to promulgate regulations authorizing local school divisions to determine the date for administering SOL assessments.

While the Committee easily reported [SB 270](#) to require that only English and mathematics SOL tests be administered in third grade, a broader bill ([SB 306](#)) was approved on an 8 to 5 vote. It provides that SOL tests be administered as follows: (i) in grades three and four, in English and

mathematics; (ii) in grade five, in English, mathematics, and science; and (iii) in grade six, in English, mathematics, and history and social science.

Also approved by a narrow 7 to 6 margin was [SB 236](#), which codifies the right of students to voluntarily pray or engage in religious activities or religious expression before, during, and after the school day and expands the forms of permitted religious expression to include clothing, accessories, or jewelry. The bill also requires each school division to adopt a policy to permit a student speaker to express a religious viewpoint at any school event at which a student is permitted to publicly speak.

Below is a listing of additional education legislation introduced over the past week up to the bill filing deadline. **(You can be linked to the summary and text of the bills listed below by using Ctrl + Click.)**

[HB 859](#) requires the BOE to establish and implement a policy to allow any student assigned to a school accredited with warning for three consecutive years or denied accreditation, to enroll at another school in the school division, upon the request of a parent or guardian.

[HB 889](#) requires the BOE to develop an online course of instruction and assessment in the objectives of economics education and financial literacy; school boards must offer the course and assessment to middle and high school students as an alternative to classroom instruction.

[HB 961](#) requires K-6 students to be screened for dyslexia and related disorders.

[HB 993](#) requires those seeking initial licensure as a teacher or license renewal to complete study in human trafficking recognition, intervention and prevention.

[HB 1003](#) requires the transfer to the OEI of per pupil funding from the local school division of residence each student enrolled in a school under OEI supervision.

[HB 1016](#) gives local school boards the option to have all employees and retirees and their dependents eligible to participate in the state employee health insurance plan, in lieu of the current state-administered local health insurance plan.

[HB 1242](#) requires the tie-breaker of any elected school board to be elected in the same manner as the members of the school board; currently, tie-breakers for elected school boards are appointed by the school board.

[HJ 34](#) directs the Joint Legislative Audit and Review Commission (JLARC) to study the effectiveness of requiring seat belts on school buses.

[HJ 41](#) establishes a joint committee to gather information and develop recommendations on (i) the feasibility of reducing the number of SOL assessments; (ii) which SOL assessments to eliminate and which SOL assessments to continue administering; and (iii) how best to use the remaining SOL assessments and the extra instructional time resulting from a reduction in the number of assessments administered to foster individualized student learning and measure student growth.

[HJ 92](#) requests the Department of Education to survey each local school board on various issues related to the religious exemption to compulsory school attendance.

SB 465 increases the number of years, from four to five, a school must fail to meet the requirements to be rated fully accredited before the supervision of the school is transferred to the OEI. It also removes the authority of the OEI Board to transfer supervision of a school that has failed to meet the requirements to be rated fully accredited for three consecutive years.

SB 499 delays the initial transfer of supervision of certain schools from local school boards to the OEI by one year, from after the 2013-2014 school year to after the 2014-2015 school year.

SB 532 requires the parents of a student who has been diagnosed with diabetes to designate in a diabetes care plan, a delegated care aide to provide diabetes care for the student, including the administration of insulin and glucagon, when a school nurse or physician is not present in the school or at a school-sponsored activity.

SB 562 authorizes the school board of a school division that partners with a college partnership laboratory school to charge tuition to students enrolled in the laboratory school who do not reside within the partnering division.

SB 624 provides that school board employees that render certain acts of emergency care, including emergency first aid, cardiopulmonary resuscitation, or use of an automated external defibrillator, shall not be liable for ordinary negligence that results from the certain acts of emergency care.

SJ 56 directs JLARC to study and identify policy and funding options to expand the Virginia Preschool Initiative.

E-mail Response

Questions or seeking more information? Please [contact CEPI](#) if you have any questions or need additional information about the 2014 General Assembly.