



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

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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.

Budget Issues

The General Assembly's money committees have until February 16 to release their respective amendments to the proposed two-year budget that was introduced in December. Work to that end largely has been quiet and behind the scenes thus far. With a new chairman and vice-chairman this year, the House Appropriations Committee has been educating all House members on the budget, while setting targeted amounts for subcommittees to use when crafting spending proposals in the various budget areas.

The new governor, Terry McAuliffe, has offered a series of proposed amendments to the budget. It is not clear how those budget amendments will be considered in the legislature given that the money committee chairmen have indicated they will not accept amendments from the new governor, a practice also employed four years ago during the gubernatorial transition. Nonetheless, there are a few of the Governor McAuliffe amendments worthy of note:

- One amendment would add \$2.6 million in FY15 to provide additional funding to school divisions that had a reduction in direct aid in FY15 as compared to FY14. The funding would cover one-half of each division's reduction.
- Another amendment provides \$5.4 million in FY15 to fund half of the cost-of-competing adjustment (COCA) for support positions in school divisions in Northern Virginia. The introduced budget removed \$10 million each year for COCA for the support positions.
- Finally, an additional \$15 million is proposed from the Literary Fund for school construction loans and another \$10 million from the Literary Fund would be used to pay for teacher retirement. The additional funding is projected to come from the sale of

unclaimed property. The introduced budget included \$10 million for Literary Fund school construction loans.

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

Subcommittees were busy at work this past week in the House Education Committee. Of particular note, this year's version of the so-called "Tebow bill" had an extensive hearing in the Elementary and Secondary subcommittee. [HB 63](#) 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. If ultimately passed, the provisions of the bill would expire in 2019. Opponents of the bill included the VHSL, the major statewide education organizations, and several local school division representatives, who argued that the bill puts school divisions in a bind, in that they must decide to allow homeschool students to participate, and if not, its students are not be able to compete interscholastically under the auspices of VHSL. The bill easily cleared the subcommittee and will be up for a vote in the full Committee on Monday.

As indicated in last week's update, the Education Reform subcommittee is expected to consider the multitude of bills introduced pertaining to SOL assessments on Tuesday. It is likely that [HB 930](#) will be the primary legislative vehicle for such changes coming out of the House of Delegates. This bill, introduced by the subcommittee chairman, provides that the number and type of Standards of Learning (SOL) assessments meet the minimal requirements established by federal law, and that beginning with the 2014-2015 school year, that the Board of Education (BOE) administer the following SOL tests: (a) reading and mathematics in grades three and four; (b) reading, writing, mathematics and science in grade five; (c) reading and mathematics in grade six; (d) reading, mathematics and civics in grade seven; (e) reading, mathematics and science in grade eight; and (f) Algebra 1, Algebra 2, Biology, Chemistry, reading, writing, and United States and world history in grades nine through 12. The bill permits the BOE to subsequently reduce the SOL assessments administered, as long as the number and type of tests meet the minimal requirements established by federal law.

Here is a listing of the other, related bills to be considered by the subcommittee:

[HB 175](#) requires the BOE to make SOL assessments available to each local school board in advance of each school year and gives flexibility to school boards on when to administer the tests.

[HB 365](#) requires that all revisions to any SOL test be finalized by December 31 of the school year prior to the school year in which the revised assessment is administered.

[HB 447](#) and [HB 640](#) require the number and type of tests to meet but not exceed the minimal requirements established by federal law, except that the BOE is permitted to administer additional assessments in science and social sciences in grades five and eight.

[HB 498](#) 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 history; in grade five to be limited to English, writing, mathematics and science; and (iv) in grade six to be limited to

English and mathematics, beginning with the 2015-2016 school year. The bill also directs the BOE to develop alternative assessment tools for use by local school boards.

[HB 850](#) requires the BOE to solicit recommendations from local school divisions and the public regarding the frequency with which SOL tests are administered. No later than January 1, 2015, the BOE is to make recommendations to the General Assembly for reducing the frequency of SOL testing.

In the 2013 session, the legislature approved bills requiring the BOE to develop student growth indicators and to report individual school performance using an A-to-F grading scale, beginning in October of this year. A handful of bills have been introduced on this topic and also are in the Education Reform subcommittee for consideration:

[HB 318](#) would abolish the A-to-F grading system for measuring individual school performance, while [HB 618](#) delays implementation of the system for three years. [HB 1182](#) exempts from the A-to-F system schools for which the BOE has approved an alternative accreditation plan to meet the graduation and completion index benchmark.

[HB 553](#) would change the system by requiring the BOE to assign grades to schools based on (i) individual school performance, and (ii) the performance of students who are (a) receiving special education, (b) enrolled in English as a second language (ESL) programs, (c) eligible to receive free or reduced price meals, and (d) not eligible to receive free or reduced price meals. [HB 1262](#) would have school performance graded by taking into account the following factors: the standards of accreditation; state and federal accountability requirements; state mandated assessments; any assessment developed or approved for use by the relevant local school board; any international benchmarking assessments; student growth indicators; student mobility; the experience and qualifications of staff; total cost and funding per pupil; remediation programs offered; extracurricular activities; parental engagement and satisfaction levels; any external awards or recognitions; and school safety.

Finally, [HB 1229](#), which was introduced by the House Education Committee chairman, would delay implementation of the system by one year and requires the Education Reform subcommittee, during the coming months, to review and make recommendations on how to implement the system.

In the Senate Education and Health Committee this past week, the Committee focused mostly on health-related bills, but did narrowly approve [SB 465](#), which removes the authority of the Opportunity Educational Board (OEI) to transfer supervision of a school that has failed to meet the requirements to be rated fully accredited for three consecutive years. The vote was 7 to 6 in the committee; the bill now is on the Senate floor for consideration. Also in the committee for consideration next week is [SB 499](#), which would delay 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.

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.