

**THE COMMONWEALTH EDUCATIONAL POLICY INSTITUTE**

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**2017 General Assembly**  
**K-12 Education Update****Reminders**

*During the course of the session, legislative updates will be available weekly on the CEPI website at [General Assembly Updates](#). Each week we'll spotlight one bill with added background and information on public support for the concept from our annual Commonwealth Education Poll.*

*This week's spotlight is on proposed amendments to the Virginia Constitution that would allow the Board of Education to establish charter schools. The two amendments that were introduced during this year's session are [HJ 629](#) and [SJ 240](#). (Spotlight, page 3).*

*The House Education Committee is scheduled to meet on Mondays and Wednesdays during the session at 8:30 a.m. in House Room D. The Senate Education and Health Committee plans to meet on Thursdays at 8:00 a.m. in Senate Room B. Sub-committees will meet periodically throughout the session. Click [here](#) for the schedule of weekly meetings.*

**January 20, 2017****Budget Update**

Senate and House budget leaders this past week signaled their intention to provide a 3% pay raise for 70,000 state employees and to hike law enforcement officer salaries in the next fiscal year. A state salary supplement for teachers and other school employees would not be provided. It recently was reported that all but a dozen local school divisions gave teachers a pay hike for the current year, when it was anticipated that a state supplement was going to be provided (those raises later were scuttled due to falling state revenues), so there is a sense among state leaders that pay for local educators will be addressed by local governing bodies. The latest teacher salary survey from the Department of Education (DOE) shows the average, budgeted classroom teacher salary for the current year is \$56,148, up 2.29% percent from last year.

The committees responsible for the budget bills will be putting the finishing touches on their proposed amendments to the introduced budget this coming week. The competing House and Senate spending plans will be released on Sunday, February 5, 2017.

More detailed information about proposed budget amendments submitted by legislators is available [here](#). Information from the VDOE about the introduced budget can be found [here](#).

## **Education Legislation**

As the General Assembly races toward the February 7 “crossover day,” consideration of bills in committees has been proceeding, but at a pace that means some additional meetings beyond those regularly scheduled will be required. Some “heavy lifting” will have to occur next week, as the House Education Committee has over 60 bills left on its docket, while Senate Education and Health has just under 50.

As noted in last week’s “spotlight” on school calendar legislation, the House has grown supportive in recent years of giving local school boards control over setting the school calendar. The House continued that trend last week, first in committee, where with the backing of education and chamber of commerce groups, the panel endorsed [HB 1983](#) on a 15 to 6 vote. The hospitality industry provided the usual opposition. Later in the week, the bill handily passed the House, 75 to 24. This is the lone “school calendar” legislation remaining, following Senate Education and Health’s narrow defeat (on an 8 to 7 vote) of [SB 1111](#), which would have allowed an exception from the post-Labor Day opening law for a school division that has a dual enrollment agreement with a community college and participating students are required to attend college credit courses that begin prior to Labor Day.

The House Education Committee also spent considerable time discussing [HB 1757](#) before shipping the bill off to Appropriations in the face of fiscal and other concerns. A substitute version of the bill would have set school nurse ratios at one per 550 students, effective July 1, 2018. There also was concern about singling out nurses for special treatment to the exclusion of other school support services.

With little discussion, the full House of Delegates approved the “Tebow” bill, [HB 1578](#), to allow participation by homeschoolers in public high school athletics and other interscholastic activities governed by the Virginia High School League (VHSL). The vote was 60 to 38.

The full House easily passed [HB 1770](#) to allow local school divisions to waive teacher licensure requirements for career and technical education teachers. A companion version, [SB 1583](#), awaits approval on the Senate floor. The House also has endorsed [HB 2341](#) to require at least two of the nine Board of Education (BOE) members to represent business and industry in the private sector in the Commonwealth. The vote was 92 to 7. Finally, [HJ 546](#) has been defeated for the session. The bill proposed a Joint Legislative Audit and Review Commission (JLARC) study of the Virginia High School League, but was dispatched by the House Rules Committee.

The Senate Education and Health Committee has been focused thus far on the many health-related bills before it. It did handle some education bills this past week. In addition to the school calendar bill previously noted, the Committee narrowly defeated [SB 828](#) that would have required the learning objectives for family life education to include age-appropriate instruction in the prevention, recognition, and awareness of child abduction, child abuse, child sexual exploitation, and child sexual abuse in all grades. The vote was 8 to 6.

The Committee did approve [SB 1245](#) to require the BOE, by July 1, 2018, to include evaluating the economic value of a postsecondary degree, including the cost of attendance, potential student loan debt and potential earnings, in the Board's objectives for economics education and financial literacy. The Committee narrowly backed sending [SB 1243](#) to the Senate Finance Committee. This is the Parental Choice Education Savings Accounts legislation. It would allow the parent of a public school student to apply to the relevant local school division for a one-year, renewable Parental Choice Education Savings Account, to consist of up to one-quarter of all applicable state per pupil and sales tax funds applicable to the student, for use at a private or

## LEGISLATION SPOTLIGHT

### Constitutional Amendment on Charter Schools ([HJ 629](#) and [SJ 240](#))

**Background:** Proposed amendments to the Virginia Constitution that would allow the Board of Education to establish charter schools are a recurring issue before the General Assembly. The two amendments that were introduced during this year’s session are [HJ 629](#) and [SJ 240](#). The resolutions propose to add the following language to Article VIII, Section 5 (Powers and duties of the Board of Education) of the Constitution: “Subject to such criteria and conditions as the General Assembly may prescribe, it shall have authority to establish charter schools within the school divisions of the Commonwealth.”

After having been approved by the 2015 General Assembly, this amendment was defeated in the Senate last year. It appears that the amendment will not be successful this year, as just this past week, [SJ 240](#) was stricken from the committee docket at the request of the patron. The House version of the resolution will be up for a vote this coming week.

Virginia’s original charter school law was established in 1998 after several years of consideration in the mid-1990s. [HB 543](#) and [SB 318](#) were the 1998 bills that allowed local school boards to establish public charter schools within the school division. The law then, and still, vests the authority for approval of public charter schools with local school boards. The law does provide specific direction for the establishment and operation of such schools, the charter application process and use of performance contracts, funding for the charter school and the employment of charter school teachers.

Attempts have been made to allow local school board decisions to deny a charter application to be appealed to the Board of Education, but those efforts were denied by the legislature. Current law allows denied applicants to petition a local school board for reconsideration of its decision, with the local school board decision being final. Since 2010, applicants are required to submit applications to the BOE for its review and comment, prior to submission to the local school board.

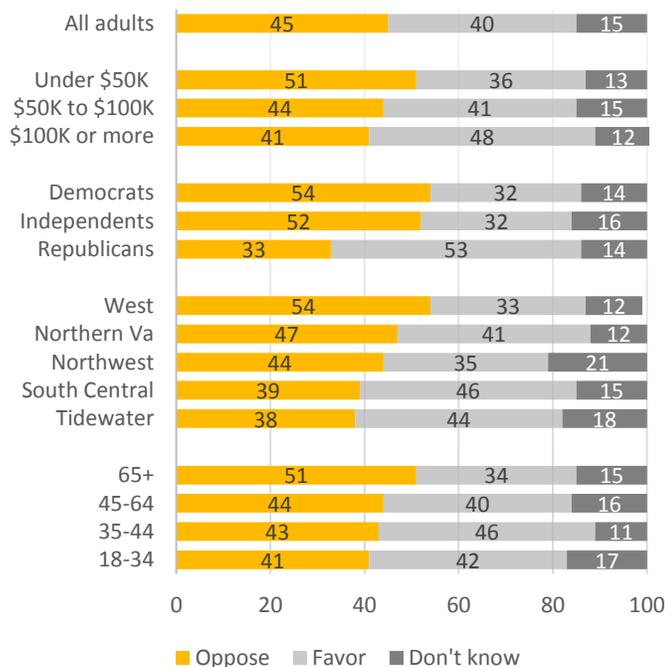
The BOE website contains useful information about charter schools in Virginia [here](#).

**What the public thinks:** Last week we released results of our annual education poll - it found a roughly even split in support for such a change to the constitution. Forty-five percent (45%) of Virginians opposed a change while 40% favored it. Importantly, 15% or respondents said they didn’t know whether or not they would support such a policy.

**Likely outcome in 2017:** As noted above, the Senate version has already been defeated. While the House version remains alive, success is unlikely.

#### Mixed View on Changing Virginia Constitution

*Would you favor or oppose changing the Virginia constitution in order to give charter schools more independence from local school boards on decisions about hiring and firing teachers in charter schools?*



Source: Commonwealth Education Poll 2016-17

religious school or for various other education expenses. The House version, [HB 1605](#), is in the House Appropriations Committee.

**Session Schedule and General Links**

*The 2017 General Assembly session gaveled to order on Wednesday, January 11. The session runs 46 days and is scheduled to end on February 25. During the course of the session, legislators likely will consider more than 1,500 bills and hundreds of resolutions. Amendments to the current two-year state budget also will be crafted. “Cross-over day,” the last day for each house to act on its own bills, is February 7. House and Senate amendments to the budget for fiscal years 2017 and 2018 will be released on February 5. Specific information about the General Assembly session, action on bills and resolutions and information about legislators can be found [here](#).*

**E-mail Response**

*If you have a question about a legislative issue during the session, please contact David Blount, CEPI Policy Associate, at [dcbblount2@vcu.edu](mailto:dcbblount2@vcu.edu).*