



**THE COMMONWEALTH EDUCATIONAL POLICY INSTITUTE**

AN INSTITUTE IN THE CENTER FOR PUBLIC POLICY

**2017 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 [2017 session](#). This is a final compilation of approved legislation dealing with K-12 education. Legislation takes effect July 1 unless otherwise noted. Bills with an (\*) await final action by the governor.*

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## Finance

**HB 1529** (*Ward*) and **SB 1018** (*Barker*) extend the sunset date for the sales tax holiday periods for school supplies and clothing, Energy Star and WaterSense products, and hurricane preparedness products to July 1, 2022.

**HB 2014** (*Keam*) changes from even-numbered years to odd-numbered years the biennial review of the Standards of Quality (SOQ) that is required of the Board of Education (BOE).

## Freedom of Information Act

**HB 1539** (*LeMunyon*) and **HB 1540** (*LeMunyon*) are the Freedom of Information Act (FOIA) Council-endorsed bills that are the result of a three-year study of the Act's records and meeting provisions. Among the changes are ones that (i) add school boards to an existing requirement for other public bodies to post a FOIA rights and responsibilities document on their website, and to designate a FOIA officer to whom members of the public may direct requests for public records; and (ii) stipulate that reasonable notice of special, emergency, or continued meetings be given when provided to members of the public body.

**HB 1971** (*Massie*) excludes from mandatory disclosure under FOIA, the records of a multidisciplinary team as they relate to individual child abuse or neglect cases or sex offenses involving a child; the bill also provides an exemption from open meeting requirements to such teams and sexual assault response teams.

**HB 2143** (*LeMunyon*) requires the FOIA Council to maintain on its website a listing of all designated FOIA officers. It also requires that the name and contact information of FOIA officers trained by legal counsel of a public body be submitted to the Council annually by July 1, and provides that training through an online course offered by the Council will satisfy the annual training requirement for FOIA officers.

**HB 2146** (*LeMunyon*) requires the FOIA Council to develop an online public comment form to enable any requester to comment on the quality of assistance provided to the requester by a public body. The bill also requires all state public bodies and localities with a population of more than 250 and subject to FOIA provisions, to post a link on their website to the online public comment form on the FOIA website.

**SB 1040** (*Hanger*) exempts from mandatory disclosure under FOIA, personal contact information provided to a public body for the purpose of receiving electronic mail from such body, when the requester has asked the public body to not disclose such information. "Personal contact information" is defined as the home or business address, email address, or telephone number.

## Governance and Operations

**HB 1392** (*Lingamfelter*) authorizes a school security officer to carry a firearm in the performance of his duties under certain conditions, including that the local school board solicits input from the

chief law-enforcement officer of the locality regarding the officer's qualifications, and that it has granted the officer authority to carry a firearm.

**HB 1490** (*R.G. Marshall*) allows a school board member who cannot serve due to being called for military service to submit suggested replacements to the school board, and if the school board does not appoint someone from the submitted list, it must notify the member of its rationale.

**HB 1552** (*Bulova*) requires school boards to notify students and their parents of the availability of career and technical education programs and to provide annual notice on their website of the opportunity for students to obtain a nationally-recognized career readiness certificate.

**HB 2141** (*LeMunyon*) expands a current requirement that the BOE include in its annual report:

- a listing of each report required to be submitted by school divisions, and
- explanations and recommendations about the need to retain the report or reduce/eliminate such report.

**HB 2174** (*Murphy*) requires school boards to annually report to the public the actual pupil/teacher ratios in middle school and high school, by school, for the current school year; currently, such a report is required only for elementary schools.

**HB 2218** (*Miyares*) permits the BOE to communicate any Board finding about the rationale for a local school board's denial of a charter school application, based on documentation submitted by the school board, in any school division in which at least half of the schools receive federal Title I funding.

**HB 2431** (*Bulova*) permits school boards to locate and operate retail fee-based electric vehicle charging stations on school property; use of such stations during the school day is restricted to school employees, students and visitors.

**SB 1239** (*Hanger*) among other things, exempts local government and school division-run recreational and after-school type programs from state licensure requirements, but does require them to register with and report to the state and to comply with basic health and safety requirements.

**SB 1359** (*McPike*) requires local school boards to develop and implement a plan to test and remediate potable water from sources identified by the U.S. Environmental Protection Agency as high priority for testing; schools built before 1986 shall be given priority.

## Instruction, Assessment and Accountability

**HB 1414** (*Austin*) requires the Department of Education (DOE) to collaborate with existing educational advisory committees that advise on student assessments, to review multipart Standards of Learning (SOL) test questions and determine the feasibility of awarding students partial credit for correct answers on one or more parts. It prohibits the DOE from taking action on awarding partial credit prior to the next General Assembly session. A report is due by November 1.

\***HB 1708** (*Filler-Corn*) requires the BOE to consider for inclusion in the Standards of Accreditation (SOA) student outcome measures the number of industry certification credentials obtained by high school students, but to not do so prior to the 2018 General Assembly.

**HB 1981** (*Greason*) directs the development of regulations for "School Divisions of Innovation," applicable to school divisions that have developed a plan of innovation to improve student learning; educational performance; and college, career, and citizenship readiness skills in their schools. Upon approval by the BOE, the school division would be exempt from selected regulatory and statutory provisions and be permitted to adopt alternative policies for school administrators, teachers and staff to meet the diverse needs of students.

**HB 1982** (*Greason*) allows the BOE, in establishing graduation requirements, to award verified units of credit for a satisfactory score, as determined by the Board, on the Preliminary ACT or Preliminary SAT/National Merit Scholarship Qualifying Test (PSAT/NMSQT).

**HB 2257** (*Filler-Corn*) permits any high school family life education (FLE) curriculum offered by a local school division to incorporate age-appropriate elements of effective and evidence-based programs on the law and meaning of consent.

**HB 2290** (*Ward*) requires public school driver education programs to include instruction concerning traffic stops, including law-enforcement procedures for traffic stops, appropriate actions for drivers to take during traffic stops, and appropriate interactions with law enforcement officers who initiate such stops.

**HB 2355** (*Pogge*) and **SB 1414** (*Norment*) require school boards to make Advanced Placement (AP) and PSAT/NMSQT examinations available to students receiving home instruction.

**HB 2378** (*Davis*) requires the BOE to allow credit for a computer coding course to be substituted for any foreign language course credit required to graduate.

**SB 1098** (*Newman*) stipulates that the SOA ensure that the accreditation process is transparent and based on objective measurements and that any appeal of the accreditation status of a school is heard and decided by the Board.

**SB 1159** (*Reeves*) provides that the career and technical education credential, when required for high school graduation, adult education or an alternative education plan, may be satisfied with the successful completion of the Armed Services Vocational Aptitude Battery.

**SB 1245** (*Dunnivant*) requires the BOE, by July 1, 2018, to include evaluating the economic value of postsecondary studies, including the net cost of attendance, potential student loan debt, and potential earnings, in the Board's objectives for economics education and financial literacy.

**SB 1475** (*McClellan*) revises the FLE curriculum guidelines and curricula to require age-appropriate instruction in the value of family relationships. It also permits age-appropriate elements of effective and evidence-based programs on sexual violence required to be part of the high school FLE curriculum, to include instruction that increases student awareness of the fact that consent is required before sexual activity.

## Personnel

**HB 1661** (*Greason*) provides that a prescriber may authorize a trained school board employee to administer, with parental consent, injected medications for treating adrenal crisis in students with adrenal insufficiency. The bill provides liability protection for employees providing such treatment.

**HB 1770** (*Freitas*) and **SB 1583** (*Suetterlein*) allow local school divisions to waive teacher licensure requirements for career and technical education teachers.

**HB 1829** (*Dudenhefer*) specifies that the certification or training in emergency first aid, cardiopulmonary resuscitation (CPR) and the use of automated external defibrillators required for initial teacher licensure or license renewal include hands-on practice of the skills necessary to perform CPR; the bill takes effect September 1.

**HB 1888** (*Hugo*) allows school bus drivers to use, in addition to two-way radio devices, wireless telecommunications devices (used hands free) to communicate with school or public safety officials.

**HB 2140** (*LeMunyon*) and **SB 1523** (*Mason*) require the DOE to develop and oversee a pilot program of administering an exit questionnaire for teachers, and to include the results and analysis in the Superintendent's annual report, beginning in 2018.

**HB 2282** (*Leftwich*) requires the BOE to develop guidelines for training school counselors, school nurses and other relevant school staff on the prevention of trafficking of children.

**HB 2332** (*Tyler*) defines competitive, as used in the stated goal of the Commonwealth for teacher compensation, as at or above the national average teacher salary.

**HB 2352** (*Freitas*) exempts from any professional teacher's assessment requirements, an individual who has obtained a valid out-of-state license and receives approval from the superintendent or school board in the division in which such individual is employed. The bill also requires the DOE to analyze current requirements for teacher licensure by reciprocity and report its findings no later than November 1.

**HB 2395** (*Cline*) and **SB 1516** (*Black*) stipulate that a reading specialist employed by a local school board shall be trained in the identification of and the appropriate interventions, accommodations and teaching techniques for students with dyslexia or a related disorder, and shall serve as an advisor on dyslexia and related disorders.

**HB 2432** (*Bulova*) requires teacher licensure regulations to include procedures for the immediate and thorough investigation by the division superintendent of any complaint alleging that a license holder has engaged in conduct that may form the basis for license revocation.

**SB 1116** (*McPike*) authorizes a local school board employee who is a registered nurse, licensed practical nurse or certified nurse aide, and trained in the administration of insulin and glucagon, to assist diabetic students who carry insulin pumps with the insertion or reinsertion of the insulin pump or its parts. The bill requires prescriber authorization and parental consent for such assistance and provides liability protection for such employees.

**SB 1117** (*McPike*) requires, as a condition of initial licensure or license renewal with an endorsement as a school counselor, training in the recognition of mental health disorder and behavioral distress, including depression, trauma, violence, youth suicide and substance abuse.

## School Environment

**HB 1485** (*R.P. Bell*) expands provisions that prohibit persons convicted of certain sex offenses from living or being near school facilities or children, to include persons convicted of any offense under the law of any other jurisdiction that is substantially similar to the offenses listed in Virginia law.

**HB 1709** (*Filler-Corn*) requires that local school board policies and procedures prohibiting bullying direct the school principal to notify the parent of any student involved in an alleged bullying incident of the status of any investigation within five school days of the allegation.

**HB 1924** (*Bagby*) and **SB 829** (*Wexton*) direct the BOE to establish guidelines for alternatives to short-term and long-term suspension for consideration by local school boards.

## Students

**HB 1408** (*Ware*) requires public school students in grades K, 2 or 3, 7 and 10 to have a vision screening. Screenings may be conducted at any time during the school year, but are to be completed within the first 60 administrative working days of the school year. BOE regulations currently stipulate that the sight and hearing of pupils in grades K, 3, 7, and 10 be screened within 60 days of the opening of school.

**HB 1437** (*Head*) exempts from required sight and hearing tests students with an Individualized Education Program or a Section 504 Plan that identifies a vision or hearing defect or disease, when the school principal determines that such a test would not identify any previously unknown defect or disease.

**HB 1451** (*Farrell*) directs the Department of Social Services, in coordination with the Commission on Youth, to develop a process and standardized survey to gather feedback from children aging out of foster care.

**HB 1751** (*O'Bannon*) and **SB 1050** (*Edwards*) expand the mission of the Virginia Foundation for Healthy Youth to include the reduction and prevention of substance use by youth, through such means as educational and awareness programs, implementing evidence-based practices, and assisting schools and communities with policies and programs.

**SB 951** (*Ruff*) requires school service providers to provide, either directly to the student or his parent or through the school, access to an electronic copy of the student's personal information.

## Miscellaneous

**HB 1586** (*Campbell*) adds provisions that require, in certain custody or visitation cases, that a party provide a copy of the court order to the child's school within three business days of the receipt of the order.

**HB 1662** (*Greason*) and **SB 1534** (*Sturtevant*) require the State Council of Higher Education for Virginia (SCHEV) to establish a policy for granting undergraduate general education course credit to any entering freshman student who has successfully completed a dual enrollment course.

**HB 1663** (*Greason*) and **SB 1493** (*McClellan*) require Northern Virginia Community College to consult with the DOE in contracting with an organization to develop, market and implement computer science training and professional development for the state's public school teachers, for the purpose of improving student computer science literacy.

**HB 1664** (*Greason*) authorizes SCHEV to disseminate student information to agencies acting on behalf or in place of the federal government to gain access to data on wages earned outside the state or through federal employment. SCHEV is to send a website link to the published data to each high school and provide a template that high schools can use to annually notify students and parents about the availability of such data.

**HB 1718** (*Anderson*) and **SB 840** (*Marsden*) rename the Commission on Civics Education as the Commission on Civic Education and extend the expiration of the commission from July 1, 2017, to July 1, 2019.

**HB 1941** (*Kilgore*) and **SB 1413** (*Sturtevant*) add defamation to the causes of action from which a citizen shall be immune when making statements (i) regarding matters of public concern, that would be protected by the First Amendment to the U.S. Constitution and made to a third party, or (ii) at a public hearing before the governing body of a locality or other political subdivision.

**HB 2040** (*Murphy*) prohibits Virginia's public and private institutions of higher education from enrolling students without having them enter into enrollment agreements.

**HB 2285** (*Cole*) standardizes the term dates for BOE appointees so that, beginning July 1, the term of any member that is set to expire on January 29 shall be extended to June 30 of that year.

**HB 2341** (*Landes*) requires at least two of the nine BOE members to represent private sector business and industry in the Commonwealth.

**HB 2377** (*Freitas*) extends the current sunset date of July 1 for the retail sales and use tax exemption for textbooks and other educational materials withdrawn from book-publishing distribution facilities to July 1, 2022; the exemption applies when such materials are withdrawn for free distribution to professors and other individuals with an educational focus.

**SB 868** (*Favola*) directs Board of Social Services regulations to require that local departments of social services respond to valid reports and complaints alleging suspected abuse or neglect of a child under the age of two within 24 hours of receiving such reports or complaints.

**SB 1160** (*Reeves*) adds three legislators, two from the House of Delegates and one from the Senate, to the Advisory Board on Teacher Education and Licensure.

**SB 1508** (*Cosgrove*) includes a school division in a locality with a population in excess of 78,000 under the exception from (i) the \$100,000 single-project fee limit for architectural and professional engineering term contracts and (ii) the \$1 million annual aggregate total of all such

projects. Under the bill, such school divisions may pay a single-project fee of up to \$2.5 million and an annual aggregate of \$6 million.

## Studies and Resolutions

**HJ 762** (*Campbell*) designates the first weekend in August of 2017, and in each succeeding year, as the Weekend of Prayer over Students in Virginia. The resolution cites challenges facing students, such as peer pressure to abuse drugs and alcohol, negative media influences, school violence and gang activities, and low self-esteem, and encourages prayer for protection, guidance, and peace, and for opportunities and blessings on the students.

**HJ 783** (*Lopez*) designates March 3<sup>rd</sup> of 2018 and in each succeeding year, as National Speech and Debate Education Day, to promote better instruction in speech and debate in schools and to highlight the pivotal roles these abilities play in personal advocacy, social movements and public policy making.

## Contact Us

Questions or seeking more information? Please [contact CEPI](#) if you have any questions or need additional information about the 2017 General Assembly.