

Tom's Legislative Update – February 17

The process of conforming different versions of similar legislation continued this week in both houses of the General Assembly. With the exception of House Education, all school related committee work finished on Thursday. The policy issues of virtual schools, suspension, charter schools and school choice remain the center of our focus on the floor of the House and Senate. We should have some idea of the final forms of these bills by the middle of next week as they are either considered for final passage or placed in conference committees to work out differences before a final vote. Thus, I thought that I would mention below some bills that we have worked on with a more tailored focus.

Legislation:

Educational Innovation:

[HB 1414](#) - [Austin](#) - Standards of Learning; DOE to review multipart assessment questions, partial credit, etc. This bill requires the Department of Education to establish a process whereby SOL assessment questions can be reviewed to determine if partial credit can be given for multipart questions. It passed the House and is on the floor of the Senate.

[HB 1709](#) - [Filler-Corn](#) - School boards; policies and procedures prohibiting bullying, parental notification. Requires the policies and procedures prohibiting bullying that are contained in each school board's code of student conduct to direct the principal to notify the parent of any student involved in an alleged incident of bullying of the status of any investigation within 14 school days of the allegation of bullying. This bill was amended in the Senate Education and Health Committee to change the 14 days to 5 days. The bill is now on the floor of the Senate.

[HB 1770](#) - [Freitas](#) - Teacher licensure; career and technical education, certain local waivers. Permits each local school board or division superintendent to waive certain enumerated licensure requirements for any teacher seeking initial licensure or renewal of a license with an endorsement in the area of career and technical education. This bill is an example of the continuing effort to help school divisions with teacher shortages.

[HB 1981](#) - [Greason](#) - School Divisions of Innovation; definition, regulatory provisions. Requires the Board to promulgate regulations for the designation of School Divisions of Innovation in which the local school board in the local school division so designated shall, pursuant to a plan of innovation, be exempted from certain regulatory provisions and be permitted to adopt alternative policies for school administrators, teachers, and staff to meet the diverse needs of students and to improve student learning; educational performance; and college, career, and citizenship readiness skills in the local school division or any portion thereof. This bill is on the floor of the Senate.

[HB 1982](#) - [Greason](#) - Graduation requirements; verified units of credit, satisfactory score on the PSAT examination. Requires the Board of Education, in establishing graduation requirements, to provide for the award of verified units of credit for a satisfactory score, as determined by the Board, on the Preliminary SAT (PSAT) examination. This bill was amended to add the PreACT test and is on the Senate floor. It is the only assessment bill of this type that remains in consideration. All others have been referred to the Commission on the Future of Elementary and Secondary Education.

HB 2007 - [Bell, Robert B.](#) - Students who receive home instruction; dual enrollment courses. Requires each school board to permit any student who receives home instruction and resides in the local school division to apply for enrollment as a part-time student, as defined in the general appropriation act, of the local school division in any dual enrollment course offered pursuant to an agreement for postsecondary degree attainment at a public high school in the local school division or at the comprehensive community college. The bill specifies that no such student shall be required to pay more in tuition or fees than the tuition or fees paid by public school students or the school division of residence on behalf of such students to enroll in such course. There were several dual enrollment bills during the Session. This bill failed in Senate Finance. Senators indicated that they wanted to see this issue as part of the JLARC report on the Community College System and the roll of dual enrollment.

HB 2191 - [Landes](#) - School boards; procedures for handling sexually explicit instructional materials, etc. Requires each school board's procedures for handling challenged controversial instructional materials to include procedures for (i) annually notifying the parent of any student enrolled in a course in which the instructional materials or related academic activities may include sexually explicit content of the potential for such sexually explicit content in such course and (ii) providing, as a replacement for instructional materials or related academic activities that include sexually explicit content, nonexplicit instructional materials or related academic activities to any student whose parent so requests. The bill defines "sexually explicit content" as content that involves any criminal sexual assault defined and punishable as a felony under Article 7 (§ 18.2-61 et seq.) of Chapter 4 of Title 18.2 of the Code of Virginia. This bill was vetoed by the Governor last year and is currently on the floor of the Senate.

HB 2352 - [Freitas](#) - Teacher licensure by reciprocity; professional teacher's assessments, report. Exempts from any professional teacher's assessment requirements any individual who has obtained a valid out-of-state license, with full credentials and without deficiencies, that is in force at the time the application for a Virginia license is received by the Department of Education, subject to the approval of the division superintendent or the school board in the school division in which such individual is employed. The bill requires the Department of Education to analyze the current requirements for teacher licensure by reciprocity in the Commonwealth, including the statutory and regulatory requirements for such licensure, and report its findings, including any recommendations for changes to such requirements, to the House Committee on Education and the Senate Committee on Education and Health no later than November 1, 2017. This bill passed the House and is on the floor of the Senate. It is an attempt to assist school systems with the teacher shortage issue.

SB 1098 - [Newman](#) - Standards of Quality; standards for accreditation in public schools. Requires that the regulations establishing standards for accreditation adopted by the Board of Education 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. This bill passed the Senate and is on the floor of the House.

SB 1583 - [Suetterlein](#) - Teacher licensure; career and technical education, certain local waivers. Permits each local school board or division superintendent to waive certain enumerated licensure requirements for any teacher seeking initial licensure or renewal of a license with an endorsement in the area of career and technical education. This bill is a further attempt assist school divisions with teacher shortages and is waiting for the Governor's signature.

Students:

[HB 1408 - Ware](#) - Student vision screenings; requirements for certain students. Requires (i) the principal of each public elementary school to cause the vision of students in kindergarten and grade two or grade three to be screened unless certain exceptions apply and (ii) the principal of each public middle school and high school to cause the vision of students in grade seven and grade 10 to be screened unless certain exceptions apply and permits any such screening to be conducted by a qualified nonprofit vision health organization that uses a digital photoscreening method pursuant to a comprehensive vision program. The bill defines "qualified nonprofit vision health organization" and "comprehensive vision program." Under current law, the frequency of such vision screenings is determined by the Board of Education pursuant to regulations. Current law is silent on the method and provider of such vision screenings. This bill was made permissive and there is a budget amendment to fund some initial pilots.

[HB 1578 - Bell, Robert B.](#) - Students who receive home instruction; participation in interscholastic programs (Tebow Bill). This bill has passed both the House and the Senate.

General Education K12:

[HB 2140 - LeMunyon](#) - Teachers turnover; exit questionnaire. Requires the Department of Education (the Department) to develop and oversee a pilot program to administer across five geographically and demographically diverse school divisions the model exit questionnaire for teachers developed by the Superintendent of Public Instruction (the Superintendent), analyze the results of each such questionnaire, and include such results and analysis in the Superintendent's annual report beginning in 2018. The bill requires the Department to (i) administer such questionnaire to each teacher who ceases to be employed by the relevant school board for any reason and (ii) collect, maintain, and report on the results of each such questionnaire in a manner that ensures the confidentiality of each teacher's name and other personally identifying information. This bill has passed both the House and Senate.

[SB 795 - Sturtevant](#) - Register of funds expended; required posting by localities & school divisions on public gov website. Requires every locality and each school division located within the locality to post on the public government website of the locality a register of all funds expended, showing vendor name, date of payment, amount, and a description of the type of expense, including credit card purchases with the same information. A locality and school division may exclude from such posting any information that is exempt from mandatory disclosure under the Virginia Freedom of Information Act, any personal identifying information related to a court ordered payment, or any information related to undercover law enforcement officers. This bill has a delayed effective date of July 1, 2018. This bill was laid on the table during the Subcommittee of the House Committee on Counties, Cities and Towns. This action was the result of your communications with members of the Committee.

State Budget:

I am told that we are making progress on the CSA budget amendments that I mentioned last week and that they are moving more toward a study format rather than immediate change. This progress is in reaction to your efforts and communications. Please keep this up. The Budget Conferees in each side of the Capital have been named and are as follows:

House Budget Conferees

Chris [Jones](#) (R-Suffolk)

M. Kirkland "Kirk" [Cox](#) (R-Colonial Heights)

R. Steven "Steve" [Landes](#) (R-Augusta)

John M. [O'Bannon](#), III (R-Henrico)

Thomas A. "Tag" [Greason](#) (R-Loudoun)

Senate Budget Conferees

Thomas K. [Norment](#), Jr. (R-District 3)

Emmett W. [Hanger](#), Jr. (R-District 24)

Richard L. [Saslaw](#) (D-District 35)

Janet D. [Howell](#) (D-District 32)

Stephen D. [Newman](#) (R-District 23)

Frank M. [Ruff](#), Jr. (R-District 15)

Frank W. [Wagner](#) (R-District 7)

It is hoped that we will have a State Budget by the middle to end of next week.

Attached are updated bill listings. Let me know if you have any questions or need information on any specific bills.

Tom