



COMMONWEALTH of VIRGINIA  
Department of Education

**DATE:** June 15, 2018  
**TO:** Division Superintendents  
**FROM:** James F. Lane, Superintendent of Public Instruction  
**SUBJECT:** **Final Legislative Report for the 2018 General Assembly**

This memorandum provides information regarding legislation that is of interest to school superintendents and division personnel and that was approved by the 2018 Virginia General Assembly and signed by Governor Northam.

The final legislative tracking reports for the 2018 General Assembly session are posted on the Virginia Department of Education's (VDOE) [Web site at: http://www.doe.virginia.gov/boe/legislation/](http://www.doe.virginia.gov/boe/legislation/). These reports reflect the final actions on education-related legislation, including Appropriation Act language and resolutions. The history of any bill or resolution, all amendments, and the text of the final version are available by clicking on the bill or resolution number in this memo or in the Legislative Tracking Reports. While bill summaries are provided below, I encourage you to review the actual text of the legislation.

### **Required Actions**

All legislation will become effective on July 1, 2018, unless otherwise indicated. For some legislation, a separate Superintendent's Memorandum will be distributed in order to provide more detailed information.

I hope this information will assist you and your school boards as you plan for and implement this year's education-related legislation. Technical assistance is available from the VDOE to help with the implementation of these measures. If you have any questions or require assistance, please do not hesitate to contact the Office of Policy and Communications at (804) 225-2092 or by e-mail at [policy@doe.virginia.gov](mailto:policy@doe.virginia.gov).

### **Dual Enrollment**

#### **HB3 - Dual enrollment courses; quality standards, universal transfer course credit.**

*Chief patron: Landes*

*Summary:*

Requires the State Board for Community Colleges, in coordination with the State Council of Higher Education for Virginia, the Department of Education, and the Virginia Association of School Superintendents, to develop and implement: (i) a plan to achieve and maintain the same standards regarding quality, consistency, and level of evaluation and review for dual enrollment courses offered by local school divisions as are required for all courses taught in the Virginia Community College System; and (ii) a process and criteria for determining whether any dual enrollment course offered in the Commonwealth that meets or exceeds these standards is transferable to a public institution of higher education as: (a) a uniform certificate of general studies program or passport program course credit, (b) a general elective course credit, or (c) a course credit meeting other academic requirements of a public institution of higher education.

#### **HB 919 / SB631 - Virginia Community College System; changes to ensure a standard quality of education.**

*Chief Patrons: S.C. Jones/Dunnavant*

*Summary:*

Makes several changes relating to course credit at public institutions of higher education in the Commonwealth, including requiring: (i) the Virginia Community College System to develop a 15-credit-hour Passport Program and a 30-credit-hour Uniform Certificate of General Studies Program to be offered at each comprehensive community college and for which courses are transferable, except in certain circumstances, to each baccalaureate public institution of higher education; and (ii) each baccalaureate public institution of higher education to develop pathway maps that clearly set forth the courses that a student at a comprehensive community college is encouraged to complete prior to transferring to the baccalaureate institution.

## **Driver Education**

### **SB126 - Driver education programs; parent/student driver education component.**

*Chief Patron: Cosgrove*

*Summary:*

Permits any school division outside Planning District 8, at the discretion of the local school board, to administer a parent/student driver education component as part of the classroom portion of the driver education curriculum. Under both current law and the bill, this component is a requirement in Planning District 8 (Northern Virginia). The bill allows for school divisions outside Planning District 8 to administer this component in-person or online by a public school or driver training schools that are licensed as computer-based driver education providers.

## **Early Childhood**

### **HB836 - Child day programs at public or private school facilities; exemptions.**

*Chief Patron: Bagby*

*Summary:*

Prohibits the Board of Social Services from adopting regulations governing child day programs located at public school facilities that require inspection or approval of the building, vehicles used to transport children attending the child day program that are owned by the school, or meals served to these children that are prepared by the school.

### **HB1017 / SB682 - Child day programs; exemptions from licensure.**

*Chief Patrons: Toscano/Deeds*

*Summary:*

Exempts from licensure any child day program that is offered by a local school division, staffed by local school division employees, and attended by children who are at least four years of age and are enrolled in public school or a preschool program within the school division. The bill provides that these programs shall be subject to safety and supervisory standards established by the local school board.

### **Item 128.H, Appropriation Act - Virginia Kindergarten Readiness Program Assessments.**

*Summary:*

Requires all school divisions to have their kindergarten students assessed during the school year using the multi-dimensional kindergarten readiness assessment model no later than the end of the 2019-2020 school year.

## **English Language Learners**

### **HB442 - Career and technical education credentials; testing accommodations for English language learners.**

*Chief Patron: Carroll Foy*

*Summary:*

Requires the Department of Education to develop, maintain, and make available to each local school board a catalogue of the testing accommodations available to English Language Learners (ELL) for each certification, examination, assessment, and battery that satisfies the career and technical education credential graduation requirement. The bill requires each local school board to develop and implement policies to require each high school principal or his designee to notify each ELL of the availability of these testing accommodations prior to the student's participation in any such certification, examination, assessment, or battery. The bill has a delayed effective date of July 1, 2019.

### **HB507 - Standards of Quality; instructional programs and positions, dual language.**

*Chief Patron: Mullin*

*Summary:*

Provides that: (i) the instructional programs for students with limited English proficiency implemented by each local school board may include dual language programs in which limited English proficiency students receive instruction in English and in a second language; and (ii) the full-time equivalent instructional positions for students identified as having limited English proficiency that are funded in addition to those supported by basic aid pursuant to the general appropriation act may include dual language teachers who provide instruction in English and in a second language.

## **Enrollment**

### **HB1085 - Public schools; open enrollment for military students.**

*Chief Patron: Yancey*

*Summary*

Requires any local school board of a school division in which a military installation or other military housing is located to establish and implement policies to provide for the enrollment to any school of any student residing on a military installation or in military housing within the school division, upon the request of his parent, if space is available. The bill permits these policies to include certain conditions. The bill requires a copy of these policies to be posted on the division's website and to be available to the public upon request.

### **SB775 - Public schools; military children, tuition.**

*Chief Patron: Locke*

*Summary*

Prohibits the child of a person on active military duty who is attending school for free from being charged tuition upon such child's relocation pursuant to orders his parent received to relocate to a new duty station or to be deployed. The bill allows the child to remain enrolled in the current school division free of tuition through the end of the school year. The bill also prohibits the child of a person on active military duty who is eligible to attend a school for free from being charged tuition by a school division that will be that child's school division of residence upon such child's service member parent's relocation to the jurisdiction for that school division pursuant to orders received, provided that documentation indicating a permanent address within the school division is provided to the school division within 120 days of a child's enrollment, or tuition may be charged, including tuition for the days since the child's enrollment in school. These children shall be counted in the average daily membership of the school division in which they are enrolled. This was a Virginia Department of Education agency bill.

### **SB961 - Public schools; homeless children.**

*Chief Patron: Mason*

*Summary*

Aligns provisions regarding when a homeless child or youth is deemed to reside in a school division with Subtitle VII-B of the federal McKinney-Vento Homeless Assistance Act, as amended (42 U.S.C. § 11431 et seq.) and updates references to the act.

## Facilities

### **HB1179 / SB448 - Abandoned schools; creation of revitalization zones**

*Chief patrons: Pillion/Chaffin*

*Summary:*

Allows localities to establish by ordinance one or more abandoned school revitalization zones for the purpose of providing incentives to private entities to purchase or develop real property or to assemble parcels suitable for economic development that include an abandoned school site. Each locality establishing an abandoned school revitalization zone may grant incentives and provide regulatory flexibility. The incentives may include, but not be limited to: (i) reduction of permit fees; (ii) reduction of user fees; (iii) reduction of any type of gross receipts tax or any other type of local tax as permitted by state law; and (iv) waiver of tax liens to facilitate the sale of property, if deemed appropriate. A school located in an abandoned school revitalization zone shall be eligible for participation in the Virginia Shell Building Initiative.

### **HB1451 - Net energy metering; SCC to establish pilot program for schools generating electricity.**

*Chief Patron: Sullivan*

*Summary:*

Directs Dominion Virginia Energy to conduct a pilot program, not exceeding 10 megawatts in the aggregate, under which any public school in the Commonwealth that generates more electricity from a wind-powered or solar-powered generation facility than it consumes in a billing period may either credit the excess electricity to the metered accounts of one or more other schools in the school division or be paid for the excess electricity at the contractually negotiated rate.

## Family Life Education

### **HB45 - Family life education curricula; personal privacy and personal boundaries.**

*Chief Patron: Filler-Corn*

*Summary:*

Requires any family life education curriculum offered in any elementary school, middle school, or high school to incorporate age-appropriate elements of effective and evidence-based programs on the importance of the personal privacy and personal boundaries of other individuals and tools for a student to use to ensure that he respects the personal privacy and personal boundaries of other individuals.

### **SB101 - Family life education; age-appropriate elements of effective programs.**

*Chief Patron: McClellan*

*Summary:*

Requires any high school family life education curriculum offered by a local school division to include age-appropriate elements of effective and evidence-based programs on the prevention of sexual harassment using electronic means. The bill also permits any family life education curriculum offered by a local school division to incorporate age-appropriate elements of effective and evidence-based programs on the prevention, recognition, and awareness of child abduction, child abuse, child sexual exploitation, and child sexual abuse.

## Graduation Requirements

### **HB84 - American Sign Language, instruction in; academic credit, foreign language requirements.**

*Chief Patron: Bell*

*Summary:*

Requires any local school board that does not offer any elective course in American Sign Language (ASL) to: (i) grant academic credit for successful completion of an American Sign Language course offered by a

comprehensive community college or a Board of Education-approved multidivision online provider on the same basis as the successful completion of a foreign language course; and (ii) count completion of any such American Sign Language course toward the fulfillment of any foreign language requirement for graduation.

### **HB167 - Diploma seals; science, technology, engineering, and mathematics.**

*Chief Patron: Miyares*

*Summary:*

Requires the Board of Education to establish criteria for awarding a diploma seal for science, technology, engineering, and mathematics (STEM) for the Board of Education-approved diplomas. Under current law, this diploma seal is limited in scope to technology and advanced mathematics.

### **HB329 - High school graduation requirements; course load.**

*Chief Patron: Yancey*

*Summary:*

Requires the Board of Education, in establishing high school graduation requirements, to permit students to exceed a full course load in order to participate in courses offered by an institution of higher education that lead to a degree, certificate, or credential at the institution.

### **HB443 - High school graduation requirements; substitution of computer coding for foreign language credit.**

*Chief Patron: Carroll Foy*

*Summary:*

Requires the Board of Education, in establishing high school graduation requirements, to permit any English language learner who previously earned a sufficient score on an Advanced Placement, International Baccalaureate, or SAT II foreign language examination to substitute computer coding course credit for any foreign language course credit required to graduate, except in cases in which the foreign language course credit is required to earn an advanced diploma offered by a nationally recognized provider of college-level courses.

### **HB1530 - High schools; Board of Education to make recommendations.**

*Chief Patron: Davis*

*Summary:*

Requires the Board of Education to make recommendations to the General Assembly and the chairmen of the House Committee on Education and the Senate Committee on Education and Health no later than November 1, 2018, relating to: (i) strategies for eliminating any stigma associated with high school career and technical education (CTE) pathways and the choice of high school students to pursue coursework and other educational opportunities in CTE and related fields, such as computer science and robotics; and (ii) the consolidation of the Standard and Advanced Studies diplomas into a single diploma and the creation of multiple endorsements for the diploma to recognize student competencies and achievements in specific subject matter areas.

### **SB664 - Graduation requirements; clock hours.**

*Chief Patron: McPike*

*Summary:*

Requires the Board of Education's graduation requirements to permit local school divisions to waive the requirement for students to receive 140 clock hours of instruction after the student has completed the course curriculum and relevant Standards of Learning end-of-course assessment, or Board-approved substitute, provided that the student subsequently receives instruction, coursework, or study toward an industry certification approved by the local school.

### **Item 130.D, Appropriation Act - Standards of Learning; Verified Credits in History and Social Science.**

*Summary:*

Requires the Board of Education, in establishing high school graduation requirements, to require students to earn one verified credit in history and social science by: (i) the successful completion of a Board-developed end-of-course Standards of Learning assessment; (ii) achievement of a passing score on a Board-approved standardized test administered on a statewide, multistate, or international basis that measures content that incorporates or exceeds the Standards of Learning content in the course for which the verified credit is given; or (iii) achievement of criteria for the receipt of a locally awarded verified credit from the local school board in accordance with criteria established in Board guidelines when the student has not passed a corresponding Standards of Learning assessment. The bill prohibits such end-of-course Standards of Learning assessment from being a performance-based assessment. More information will be distributed soon.

## **Home Instruction**

### **HB1370 - Home instruction of children; requirements, education options.**

*Chief Patron: Pogge*

*Summary:*

Clarifies that when a parent teaches their child, the program of study or curriculum must be provided to the child. Current law only requires that the program of study or curriculum must be provided, but it does not specify that it is to be provided to the child.

## **Instruction**

### **HB399 - School boards; work-based learning experiences for students, notification.**

*Chief patron: Keam*

*Summary:*

Requires each school board to implement a plan to notify students and their parents of the availability of internships, externships, apprenticeships, credentialing programs, certification programs, licensure programs, and other work-based learning experiences.

### **HB544 / SB960 - High School to Work Partnerships; establishment, exemptions.**

*Chief Patrons: Freitas/Suetterlein*

*Summary:*

Permits each local school board to: (i) establish High School to Work Partnerships (Partnerships) between public high schools and local businesses to create opportunities for any high school students to: (a) participate in an apprenticeship, internship, or job shadow program in a variety of trades and skilled labor positions, or (b) tour local businesses and meet with owners and employees; or (ii) delegate the authority to establish Partnerships to the local school division's career and technical education administrator or his designee, in collaboration with the guidance counselor office of each public high school in the school division. The bill requires the local school boards to educate high school students about opportunities available through such Partnerships. The bill also requires the Board of Education, the Department of Labor and Industry, and the State Board for Community Colleges to identify Partnerships that may be eligible for exemptions from certain federal and state labor laws and regulations and establish procedures by which the exemptions may be obtained for such Partnerships.

### **HB632 - Career investigation courses and programs of instruction; Board of Education to establish.**

*Chief Patron: Bulova*

*Summary:*

Requires the Board of Education to: (i) establish content standards and curriculum guidelines for courses in career investigation in elementary school, middle school, and high school; (ii) develop, in consultation with representatives of career and technical education, trade, and contractor organizations, career investigation resource materials that are designed to ensure that students have the ability to further explore interest in career and technical education opportunities in middle and high school; and (iii) disseminate these career

investigation resource materials to each school board. The bill directs each school board to require each middle school student to take at least one course or alternative program of instruction in career investigation and permits each school board to require these courses in career investigation at the elementary and high school level as it deems appropriate.

The bill also requires the Board to convene a working group with the Virginia Board of Workforce Development to support further development of an interactive Academic and Career Plan for all students. The working group's recommendations to the Secretary of Education and the Chief Workforce Development Advisor are due by November 1, 2018.

### **HB803 - High school equivalency programs; extends eligibility.**

*Chief Patron: O'Quinn*

*Summary:*

Extends eligibility to participate in programs of preparation and instruction to take a high school equivalency examination approved by the Board of Education to individuals who are at least 16 years of age. Under current law, these programs are available only to adults who did not complete high school, students who have been granted permission by their respective division superintendent, and those who have been ordered by a court to participate in the program.

### **HB1419 / SB273 - Public schools; instructional time.**

*Chief Patrons: Delaney/Peterson*

*Summary:*

Requires local school boards to provide: (i) a minimum of 680 hours of instructional time to students in elementary, except for students in half-day kindergarten, in the four academic disciplines of English, mathematics, science, and history and social science; and (ii) a minimum of 375 hours of instructional time to students in half-day kindergarten in the four academic disciplines of English, mathematics, science, and history and social science. The bill authorizes local school boards to include and requires the Board of Education to accept, elementary school, unstructured recreational time that is intended to develop teamwork, social skills, and overall physical fitness in any calculation of total instructional time or teaching hours, provided that the unstructured recreational time does not exceed 15 percent of total instructional time or teaching hours. This bill changes provisions for instructional time in the four academic subjects in elementary schools of 742.5 hours, currently in the Standards of Accreditation.

### **HB1532 - Health education program; program to include safe use of prescription drugs.**

*Chief Patron: Herring*

*Summary:*

Permits the health education program required for each public elementary and secondary school student to include an age-appropriate program of instruction on the safe use of and risks of abuse of prescription drugs that is consistent with curriculum guidelines developed by the Board of Education and approved by the State Board of Health. The bill provides that the Board may consider the curriculum adopted by the School Board of the City of Virginia Beach regarding drugs and the opioid crisis in developing these curriculum guidelines.

### **HB1604 / SB953 - Health instruction; instruction to incorporate standards to recognize dimensions of mental health.**

*Chief Patrons: Bell/Deeds*

*Summary:*

Requires health instruction to incorporate standards that recognize the multiple dimensions of health by including mental health and the relationship of physical and mental health so as to enhance student understanding, attitudes, and behavior that promote health, well-being, and human dignity. The bill also directs the Board of Education to review and update the health Standards of Learning for students in grades nine and 10 to include mental health. The Board shall consult with mental health experts.

## **Local School Boards**

## **HB81 - Division superintendents; vacancies appointment.**

*Chief patron: Krizek*

*Summary:*

Requires the Superintendent of Public Instruction, upon the request of a school board, to grant the school board up to an additional 180 days to appoint a new division superintendent.

## **HB212 / SB124 - Conflict of Interests Act, State and Local Government; school boards and school board employees.**

*Chief patrons: Wright/Black*

*Summary:*

Allows any school division to invoke the current exemption from the prohibition against hiring, under certain circumstances, a school district employee who is related to a member of the school board. Current law limits use of the exemption to only those school divisions located in Planning Districts 3, 4, 11, 12, 13, and 17.

## **HB231 - County manager plan of government; popular election of school board.**

*Chief patron: Bulova*

*Summary:*

Clarifies that in a county with the county manager plan of government (Arlington County), the county may have an elected school board notwithstanding the default method of school board appointment as set out under current law.

## **HB 779 / SB 361 - Norfolk, City of; eliminates cap on salaries of appointed members of school board.**

*Chief patron: Wilt*

*Summary:*

Eliminates the cap on the annual salary that the school board of the City of Norfolk may pay its appointed members. Beginning July 1, 2018, all members of the school board of City of Norfolk will be elected rather than appointed. Salaries of elected school board members are subject to the same limitations as members of local governing bodies.

## **HB1000 / SB343 - School boards; permitted to employ certain individuals.**

*Chief Patrons: Knight/Peake*

*Summary:*

Permits any school board to employ an individual who, at the time of the individual's hiring, has been convicted of a felony, provided that such individual: (i) was employed in good standing by a school board on or before December 17, 2015; (ii) has been granted a simple pardon for such offense by the Governor or other appropriate authority; and (iii) has had his civil rights restored by the Governor or other appropriate authority. The bill permits a school board to employ, until July 1, 2020, a person who does not satisfy the conditions set forth in clauses (ii) and (iii), provided that such person has been continuously employed by the school board from December 17, 2015, through July 1, 2018.

## **HB1044 - School board; policies prohibiting abusive work environment.**

*Chief patron: Torian*

*Summary:*

Requires each school board to adopt policies to: (i) prohibit abusive work environments in the school division; (ii) provide for the appropriate discipline of any school board employee who contributes to an abusive work environment; and (iii) prohibit retaliation or reprisal against a school board employee who alleges an abusive work environment or assists in the investigation of an allegation of an abusive work environment.

## **SB658 - Literary Fund; application for loans by regional and joint schools.**



*Chief patron: Wagner*

*Summary:*

Clarifies that school boards of school divisions participating in a regional or joint school may jointly apply to the Board of Education for a loan from the Literary Fund to benefit the regional or joint school.

### **SB750 - Richmond, City of; amending charter, equal educational opportunities; school infrastructure.**

*Chief patron: Sturtevant*

*Summary:*

Requires the mayor of the City of Richmond to present to the city council not later than January 1, 2019, a fully funded plan to modernize the city's K-12 educational infrastructure consistent with national standards or inform city council that such a plan is not feasible. The bill prohibits basing the fully funded plan on the passage of new or increased taxes for that purpose.

## **Student Discipline**

### **HB1600 - Student discipline; long-term suspension.**

*Chief Patron: Bourne*

*Summary:*

Reduces the maximum length of a long-term suspension from 364 calendar days to 45 school days. The bill permits a long-term suspension to extend beyond a 45-school-day period but prohibits such a suspension from exceeding 364 calendar days: (i) for certain offenses involving weapons, drugs, or serious bodily injury; or (ii) if the school board or division superintendent finds that aggravating circumstances exist, as defined by the Department of Education.

### **SB170 - Public schools; student discipline.**

*Chief Patron: Stanley*

*Summary:*

Prohibits students in preschool through grade three from being suspended for more than three school days or expelled from attendance at school, unless: (i) the offense involves physical harm or credible threat of physical harm to others; or (ii) the local school board or the division superintendent or his designee finds that aggravating circumstances exist, as defined by the Department of Education.

## **Student Information**

### **HB1 - FOIA; prohibited access to directory information.**

*Chief Patron: Wilt*

*Summary:*

Permits the release of student directory information only if notice has been given to the student or parent of: (1) the types of information that are considered directory information; (2) their right to refuse the designation of information as directory information; and (3) the period of time by which the student or parent must notify the school that they want information to not be deemed directory information.

The bill also provides that no school shall disclose the address, telephone number, or email address of a student pursuant to 34 C.F.R. § 99.31(a)(11) or the Virginia Freedom of Information Act (§ [2.2-3700](#) et seq.) unless the parent or eligible student has affirmatively consented in writing to such disclosure.

### **SB238 - Students; collection of demographic data, designation of race or ethnicity.**

*Chief Patron: DeSteph*

*Summary:*

Provides that school board employees administering tests or other assessment instruments shall not require any public school students being tested to disclose their race or ethnicity on these tests. In addition, no student

or his parent shall be required to disclose information related to the student's race or ethnicity unless: (i) the student or his parent is given an option to designate "other" for the student's race or ethnicity; or (ii) the disclosure is required by federal law.

## **SB512 - Virginia Freedom of Information Act; student telephone numbers and personal email addresses.**

*Chief Patron: Suetterlein*

*Summary:*

Prohibits the release of a student's address, phone number, or email address of a student in response to a Freedom of Information Act request without written consent of the parent or student.

## **School Nutrition**

### **HB50 / SB840 - School meal policies; each local school board required to adopt policies.**

*Chief Patrons: Hope/Favola*

*Summary:*

Requires each local school board to adopt policies that: (i) prohibit school board employees from requiring a student who cannot pay for a meal at school or who owes a school meal debt to do chores or other work to pay for such meals or wear a wristband or hand stamp; and (ii) require school board employees to direct any communication relating to a school meal debt to the student's parent, which may be made by a letter addressed to the parent to be sent home with the student.

## **Student Safety**

### **HB292 - Abduction; reports to school division superintendents.**

*Chief Patron: Collins*

*Summary:*

Adds abduction to the list of offenses that are reported to school division superintendents by a juvenile intake officer when a petition is filed alleging a student committed such offense. The bill also adds abduction and acts of violence by mobs to the list of offenses reported to school division superintendents by a law-enforcement officer when a student who is 18 years of age or older is arrested for committing such an offense. Acts of violence by mobs are already on the list reported by an intake officer for a minor student. The bill also adds abduction on school property, on a school bus, or at a school-sponsored activity to the list of incidents to be reported to school division superintendents and principals.

## **Teacher Preparation, Licensure, and Evaluation**

### **HB2 / SB103 - Teacher licensure; reciprocity, spouses of Armed Forces members.**

*Chief Patrons: Bell/Suetterlein*

*Summary:*

Requires the Board of Education to provide for teacher licensure by reciprocity for a period of one year for any spouse of an active duty member of the Armed Forces of the United States or the Commonwealth, provided that the spouse has obtained a valid out-of-state license, with full credentials and without deficiencies, that is in force at the time the application for such a one-year reciprocal license is received by the Department of Education. The bill provides that any such individual who receives a satisfactory evaluation at the conclusion of the year of employment under such one-year reciprocal license is eligible for a renewable license.

### **HB80 - Teacher licensure by reciprocity; third-party verification of application documents.**

*Chief Patron: Krizek*

*Summary:*

Requires the Board of Education, in its regulations providing for teacher licensure by reciprocity, to permit

applicants to submit third-party employment verification forms.

## **HB215 - Teacher licensure; regulations governing licensure.**

*Chief Patron: Knight*

*Summary:*

Requires the Board of Education to include in its regulations for alternate routes to teacher licensure eligibility for any individual to receive a renewable one-year license to teach in public high schools if an individual has: (1) received a graduate degree from a regionally accredited institution of higher education; (2) completed at least 30 credit hours of teaching experience as an instructor at a regionally accredited institution of higher education; (3) received qualifying scores on Board-prescribed professional teacher's assessments, including the communication and literacy assessment and the content-area assessment for the endorsement sought; and (4) completed training in: (i) child abuse recognition and intervention; and (ii) completion of certification or training in emergency first aid, cardiopulmonary resuscitation (CPR), and the use of automated external defibrillators (AED).

## **HB1125 / SB349 - Teachers; several changes to licensure process.**

*Chief Patrons: Landes/Peake*

*Summary:*

Makes several changes to teacher licensing and preparation requirements, including: (1) extending the length of a renewable teaching license from a five-year to a ten-year term; (2) eliminating the requirements for teachers seeking initial licensure or renewal of a license to: (i) demonstrate proficiency in the use of educational technology for instruction; and (ii) receive professional development in instructional methods tailored to promote student academic progress and effective preparation for the Standards of Learning assessments; (3) allowing an individual seeking a provisional teacher license to satisfy certain licensure requirements (including completing study in child abuse recognition and intervention, completing training in emergency first aid, cardiopulmonary resuscitation, and the use of automated external defibrillators) during the first year of provisional licensure; (4) providing full licensure reciprocity for teachers with valid out-of-state licenses, with full credentials and without deficiencies; (5) establishing alternate routes for elementary education Pre-K-6 and special education licenses; (6) specifying that the term "education preparation program" includes four-year bachelor's degree programs in teacher education; (7) permitting one- to two-year provisional license extensions of the three-year provisional licenses of a teacher upon receiving a recommendation from the division superintendent and when the teacher's evaluations have been satisfactory; (8) extending the one year waiver of teacher licensure requirements to two years for trade and industrial teachers that have 4,000 hours of relevant employment experience; (9) eliminating the restriction on three-year career and technical teaching licenses that limits such licensees to teaching only half of the instructional day, and requiring such licensees to be assigned a mentor for their first two years of teaching, instead of one year. Removing the requirement that the provision of a three-year license to qualified individuals to teach career and technical education include passing the communication and literary professional teacher's assessments; the assessments would be taken "if appropriate."

The bill requires the Department of Education and the Board of Education to report on the effects of the provisions in this bill by July 1, 2019.

The bill also limits the number of professional development points that may be required during the ten-year licensure period to no more than 360.

## **HB1156 - Teacher licensure; endorsement in dual language instruction pre-kindergarten through grade six.**

*Chief Patron: Wilt*

*Summary:*

Requires the Board of Education, in its regulations governing licensure, to provide for licensure of teachers with an endorsement in dual language instruction pre-kindergarten through grade six. The bill defines "dual language instruction" as instruction in English and in a second language. The bill requires the Board, in establishing the requirements for such endorsement, to require, at minimum, coursework in dual language

education; bilingual literacy development; methods of second language acquisition; theories of second language acquisition; instructional strategies for classroom management for the elementary classroom; and content-based curriculum, instruction, and assessment. The bill provides that: (i) each teacher with an endorsement in dual language instruction in Pre-K – 6 grade is exempt from the Virginia Communication and Literacy Assessment requirement but must meet the subject matter-specific professional teacher's assessment requirements; and (ii) no teacher with such an endorsement is required to obtain an additional endorsement in early/primary education pre-kindergarten through grade three or elementary education pre-kindergarten through grade six in order to teach in pre-kindergarten through grade six.

### **HB1265 / SB368 - Education preparation programs; reading specialists, dyslexia.**

*Chief Patrons: Cline/Newman*

*Summary:*

Requires each education preparation program offered by a public or private institution of higher education that leads to a degree, concentration, or certificate for reading specialists shall include a program of coursework and other training in the identification of and the appropriate interventions, accommodations, and teaching techniques for students with dyslexia or a related disorder. The program shall: (i) include coursework in the constructs and pedagogy underlying remediation of reading, spelling, and writing; and (ii) require reading specialists to demonstrate mastery of an evidence-based, structured literacy instructional approach that includes explicit, systematic, sequential, and cumulative instruction.

### **SB76 - Teacher licensure; approval of teacher education programs.**

*Chief Patron: Favola*

*Summary:*

Specifies that the term “education preparation program” includes four-year bachelor’s degree programs in education as it applies to the Board of Education’s regulations for the approval of teacher preparation programs.

### **Item 134.H, Appropriation Act - School personnel survey; Superintendent of Public Instruction to develop & make available annually.**

*Summary:*

Requires the Superintendent of Public Instruction to develop and biennially administer a voluntary and anonymous school personnel survey to licensed personnel in each public school to evaluate school-level teaching conditions and the impact such conditions have on teacher retention and student achievement. The survey shall include questions regarding school leadership, teacher leadership, teacher autonomy, demands on teachers' time, student conduct management, professional development, instructional practices and support, new teacher support, community engagement and support, and facilities and other resources. The results of the survey are required to be reported annually to the House Committees on Appropriations and Education and to the Senate Committees on Finance and Education and Health.

## **Teacher Misconduct**

### **HB150 / SB184 - Child abuse and neglect; founded reports regarding former school employees.**

*Chief Patrons: Bulova/Favola*

*Summary:*

Amends the requirement for local departments of social services to notify appropriate school boards when an employee of a school division is found to be the subject of a founded complaint of child abuse or neglect. Current law requires such notification only if the employee was employed by the school division at the time the complaint is determined to be founded. The bill amends the notification requirements to provide for such notification if the employee was employed by the school division at the time of the investigation or when the conduct occurred that led to the report.

## **HB389 / SB183 - Child abuse and neglect; notice of founded reports to Superintendent of Public Instruction.**

*Chief Patrons: Keam/Favola*

*Summary:*

Requires local departments of social services to notify the Superintendent of Public Instruction without delay when an individual holding a license issued by the Board of Education: (1) is the subject of a founded complaint of child abuse or neglect; and (2) when the founded case of child abuse or neglect is dismissed following an appeal. The bill further provides that the rights of an individual holding a Board-issued license to any appeals or hearings is not to be impacted by these provisions. Current law requires notice to occur after administrative appeals have been exhausted.

## **HB438 / SB605 - School boards, local; prohibits assisting person for new job if engaged in misconduct with a minor.**

*Chief Patrons: Bulova/Ebbin*

*Summary:*

Requires the Department of Education and local school boards to adopt policies to implement the provisions of the federal Every Student Succeeds Act (ESSA) that prohibit any local school board or any individual who is an employee, contractor, or agent of a local school board from assisting an employee, contractor, or agent of the local school board in obtaining a new job if the local school board or individual knows or has probable cause to believe that the employee, contractor, or agent engaged in sexual misconduct regarding a minor or student in violation of law.

## **Transportation**

### **HB810 / SB557 - School bus operators; classroom and behind-the-wheel training.**

*Chief Patrons: O'Quinn/Hanger*

*Summary:*

Requires the Board of Education's regulations to provide that any new school bus operator applicant who does not possess a commercial driver's license must receive a minimum of 24 hours of classroom training and six hours of behind-the-wheel training. The bill also requires the Board's regulations to provide that applicants who possess a commercial driver's license must have a minimum of four hours of classroom training and three hours of behind-the-wheel training. The behind-the-wheel training is to be supervised, on a bus with no passengers, under the direct on-board supervision of a designated school bus driver trainer.

### **SB229 - School bus personnel; training program on autism spectrum disorders.**

*Chief Patron: Hanger*

*Summary:*

Requires the Board of Education to establish an autism spectrum disorders (ASD) training program for school board employees who assist in the transportation of students on school buses, including bus drivers and aides. The training program is to include: (1) the characteristics of autism spectrum disorders; (2) strategies for interacting with students with autism spectrum disorders; and (3) collaboration with other employees who assist in the transportation of students on school buses. Each school board employee who assists in the transportation of students with ASD on school buses is required to participate in the training program.

## **Tuancy**

### **HB274 - Informal truancy plans; students proceeded against or adjudicated on more than two occasions.**

*Chief Patron: Ward*

*Summary:*

Provides that a student may have up to three discretionary informal diversions of 90 days for truancy to allow

a truancy plan to be developed, so long as the immediately previous diversion occurred at least three calendar years prior to the current diversion. Current law only permits a student to receive one such diversion.

**[HB829](#) - Compulsory school attendance; requires parent of school-age child to cause child to attend school.**

*Chief Patron: Bagby*

*Summary:*

Clarifies that each parent of a school-age child is required to “cause his child to attend” school. Current law requires each such parent to “send” his child to school in order to meet the requirements of the compulsory attendance law, with some exceptions. The bill also provides that the term "attend" also applies to courses at a site remote from the school with the permission of the school and in conformity with applicable requirements. This was a Virginia Department of Education agency bill.

**[HB1485](#) / [SB841](#) - Truancy; procedures relating to intervention.**

*Chief Patrons: Filler-Corn/Favola*

*Summary:*

Requires the school principal or his designee to make reasonable efforts to ensure that direct contact is made with the parent whenever any pupil fails to report to school for a total of five scheduled school days for the school year and no indication has been received by school personnel that the pupil's parent is aware of and supports the pupil's absence. The principal or his designee shall make a reasonable effort to notify the parent through telephone conversation or through the use of other communications devices to obtain an explanation. The bill changes the timeline a conference is to be held regarding the student's absences and requires the conference to be held no later than 10 school days after the tenth absence. In addition, the bill directs the conference team to monitor attendance and meet again as necessary, and provides that the conference team shall refer continued noncompliance to the attendance officer, who would be required to schedule a conference with the student and parent prior to instituting proceedings against the parent or student.

The bill also (i) removes the appointed attendance officer as a party to the plan to resolve such nonattendance; (ii) permits, but does not require, the attendance officer to participate in the conference necessitated by additional absences subsequent to the development of the plan; and (iii) permits, but does not require the attendance officer to file a complaint with the juvenile and domestic relations district court alleging the pupil is a child in need of supervision or to institute criminal proceedings against the parent pursuant to relevant law. Under current law, the attendance officer is required to participate in the conference and is also required to file the complaint and institute proceedings in cases in which the pupil is absent for an additional school day without indication that the pupil's parent is aware of and supports the pupil's absence.

**Resolutions**

Several resolutions were approved by the General Assembly and transmitted to the Superintendent of Public Instruction for dissemination to constituents. These resolutions are:

**[HJR31](#) / [SJR38](#) - Commemorating the 50th anniversary of the assassination of Dr. Martin Luther King, Jr.**

*Chief Patrons: Tyler/McClellan*

**[HJR37](#) / [SJR81](#) - Commemorating the 50th anniversary of Green v. County School Board of New Kent County.**

*Chief Patrons: McQuinn/Dance*

**[HJR86](#) / [SJR20](#) - Commemorating its 150th anniversary of the passage of the Fourteenth Amendment to the United States.**

*Chief Patrons: Carr/Locke*

JFL/RSA/bj

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