



COMMONWEALTH of VIRGINIA
Department of Education

DATE: July 14, 2017
TO: Division Superintendents
FROM: Steven R. Staples, Superintendent of Public Instruction
SUBJECT: **Final Legislative Report for the 2017 General Assembly**

This memorandum provides information regarding legislation that is of interest to school superintendents and division personnel and that was approved by the 2017 Virginia General Assembly and, unless otherwise indicated, signed by Governor McAuliffe.

The final legislative tracking reports for the 2017 General Assembly session are posted on the Virginia Department of Education's (VDOE) Web site at: <http://www.doe.virginia.gov/boe/legislation/>. These reports reflect the final actions on education-related legislation. 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 became effective on July 1, 2017, unless otherwise indicated. For some legislation, a separate Superintendent's Memorandum will be distributed in order to provide more detailed information.

Accreditation

[HB 1981](#) [↗](#) School Divisions of Innovation; definition, regulatory provisions.

Chief patron: Greason

Summary: Requires the Board of Education (Board) to promulgate regulations for the designation of School Divisions of Innovation (SDI) in which the local school board in the local school division or any school therein 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 school therein. Any school board may apply to the Board to be designated as a SDI.

Assessments

[HB 1414](#) [↗](#) Standards of Learning; DOE to review multipart assessment questions, partial credit, etc.

Chief patron: Austin

Summary: Requires the Department of Education to collaborate with the existing educational advisory committees in the Commonwealth that advise on student assessments to review multipart Standards of Learning assessment questions and determine the feasibility of awarding students partial credit for correct answers on one or more parts of such questions. The bill requires the Department to report its determination to

the Chairmen of the House Committee on Education and the Senate Committee on Education and Health by November 1, 2017. The bill prohibits the Department from taking action regarding the awarding of partial credit prior to the 2018 Session of the General Assembly.

SB 1098 [↗](#) Standards of Quality; standards for accreditation in public schools.

Chief patron: Newman

Summary: 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.

Board of Education

HB 2014 [↗](#) Standards of quality; biennial review by Board of Education.

Chief patron: Keam

Summary: Changes the biennial review of the standards of quality that is required of the Board of Education from even-numbered years to odd-numbered years.

HB 2141 [↗](#) Public education; Board of Education to report on condition and needs.

Chief patron: LeMunyon

Summary: Requires the Board of Education's annual report on the condition and needs of public education in the Commonwealth to include an explanation of the need to retain or maintain the frequency of any report that local school divisions are required to submit to the Board of Education or any other state agency; any recommendation for the elimination, reduction in frequency, or consolidation of such reports when such elimination, reduction in frequency, or consolidation would require an amendment to the laws of the Commonwealth; and a description of any other such report that the Board has eliminated, reduced in frequency, or consolidated.

HB 2341 [↗](#) Board of Education membership.

Chief patron: Landes

Summary as introduced: Requires at least two of the nine members of the Board of Education to represent business and industry in the private sector in the Commonwealth.

Charter Schools

HB 2218 [↗](#) Public charter school applications and charter agreements; review by the Board of Education.

Chief patron: Miyares

Summary: Permits the Board of Education to communicate any Board of Education finding relating to the rationale for the local school board's denial of a public charter school application or revocation of or failure to renew the charter agreement based on documentation submitted by the school board in any school division in which at least half of the schools receive funding pursuant to Title I, Part A of the Elementary and Secondary Education Act of 1965, as amended.

Career and Technical Education and Dual Enrollment

HB 1552 [↗](#) Career and technical education; notification by school board to students and parents of programs.

Chief patron: Bulova

Summary: Requires each local school board to implement a plan to notify students and their parents of the availability of career and technical education programs and to include annual notice on its website to enrolled

high school students and their parents of the opportunity for such students to obtain a nationally recognized career readiness certificate at a local public high school, comprehensive community college, or workforce center.

[HB 1662](#) [/SB 1534](#) [Higher educational institutions, public; general education course credit, dual enrollment courses.](#)

Chief patron: Greason/Sturtevant

Summary: Requires the State Council of Higher Education for Virginia (SCHEV), in consultation with each public institution of higher education, to establish a policy for granting undergraduate general education course credit to any entering student who has successfully completed a dual enrollment course. The bill requires SCHEV and each public institution of higher education to make the policy available to the public on both the websites for SCHEV and the institution.

[SB 1159](#) [Public schools; career and technical education credential.](#)

Chief patron: Reeves

Summary: Provides that career and technical education credential requirements may be satisfied with the successful completion of the Armed Services Vocational Aptitude Battery.

Driver Education

[HB 1705](#) [Certification of driver education courses; requirements.](#)

Chief patron: Greason

Summary: Provides that any licensed Virginia driver training school is authorized to provide the 90-minute parent/student driver education component that is currently required to be provided by the school boards in Planning District 8. Planning District 8 includes the counties of Arlington, Fairfax, Loudoun, and Prince William and the cities of Alexandria, Fairfax, Falls Church, Manassas, and Manassas Park.

[HB 2290](#) [Driver education programs; instruction concerning traffic stops.](#)

Chief patron: Ward

Summary: Requires the Board of Education to include instruction concerning traffic stops in its standardized program of driver education for public schools, including law-enforcement procedures for traffic stops, appropriate actions to be taken by drivers during traffic stops, and appropriate interactions with law-enforcement officers who initiate traffic stops. In addition, this bill requires the Board of Education to collaborate with the Department of State Police in implementing these provisions.

Economics Education

[SB 1245](#) [Public education; economics education and financial literacy.](#)

Chief patron: Dunnavant

Summary: Requires the Board of Education 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. The bill requires the Board to amend such objectives by July 1, 2018.

Family Life Education

[HB 2257](#) [High school family life education curricula; effective and evidence-based programs on consent.](#)

Chief patron: Filler-Corn

Summary: Provides that any high school family life education curriculum offered by a local school division may incorporate age-appropriate elements of effective and evidence-based programs on the law and the

meaning of consent.

[SB 1475](#) Family life education; changes to curriculum guidelines and curricula.

Chief patron: McClellan

Summary: Requires instruction in the value of family relationships to be included in the Board of Education's family life education curriculum guidelines. The bill also permits instruction that increases student awareness of the fact that consent is required before sexual activity to be incorporated into the programs on the prevention of sexual violence that are a component of high school family life education programs.

General Laws

[HB 1539](#) Virginia Freedom of Information Act (FOIA); public access to records of public bodies.

Chief patron: LeMunyon

Summary: Requires school boards to post on their website an explanation of FOIA rights and responsibilities, contact information for the FOIA officer designated by the public body, and other specific information. The bill also clarifies the definition of public record and contains several other general changes. This bill is a recommendation of the FOIA Advisory Council pursuant to the HJR 96 FOIA study (2014-2016).

[HB 1540](#) Virginia Freedom of Information Act (FOIA); public access to meetings of public bodies.

Chief patron: LeMunyon

Summary: Revises FOIA's various open meeting exemptions relating to legal matters, and litigation. The bill also: (i) clarifies where meeting notices and minutes are to be posted; (ii) requires copies of proposed agendas to be made available; (iii) makes technical corrections to several open meeting exemptions; and (iv) clarifies closed meeting procedures. The bill contains numerous technical corrections. This bill is a recommendation of the Freedom of Information Advisory Council pursuant to the [HJR 96](#) FOIA study (2014-2016).

[HB 1727](#) State and Local Government Conflict of Interests Act; school boards and school board employees.

Chief patron: Ransone

Summary: Provides that school divisions located in Planning District 17, Northern Neck, are not subject to the prohibition against hiring a school division employee who is related to a member of the school board under certain circumstances. Planning District 17 includes the following five school divisions: Colonial Beach, Lancaster, Northumberland, Richmond, and Westmoreland.

[HB 2143](#) FOIA; training approved by Virginia Freedom of Information Advisory Council, online courses offered.

Chief patron: LeMunyon

Summary: Requires the Freedom of Information Advisory Council to maintain on its website a listing of all FOIA officers, including name, contact information, and the name of the public body such FOIA officers serve. The bill requires the name and contact information of FOIA officers trained by legal counsel of a public body to be submitted to the Council by July 1 of each year on a form developed by the Council for that purpose and to be updated in a timely manner in the event of any changes to such information. The bill also provides that training through an online course offered by the Council shall satisfy the annual training requirement for FOIA officers.

[HB 2354](#) Conflict of Interests Act, State and Local Government; school board employees, Planning District 4.

*Chief patron:*Rush

Summary: Provides that school divisions located in Planning District 4, New River Valley, are not subject to the prohibition against hiring a school division employee who is related to a member of the school board under certain circumstances. Planning District 4 includes the counties of Floyd, Giles, Montgomery, and Pulaski, and the City of Radford.

[SB 1040](#)  **Freedom of Information Act; record exclusion for personal contact information, definition of the term personal contact information.**

Chief patron: Hanger

Summary: Provides that personal contact information provided to a public body for the purpose of receiving electronic mail from the public body is excluded from the mandatory disclosure provisions of FOIA, provided that the electronic mail recipient has requested that the public body not disclose such information. The bill defines "personal contact information" as the home or business: (i) address; (ii) email address; or (iii) telephone number or comparable number assigned to any other electronic communication device. Current law excludes "personal information," which is defined as including a broader range of information than the limited definition of personal contact information in the bill.

Graduation Requirements

[HB 1982](#)  **Graduation requirements; verified units of credit, satisfactory score on the PSAT examination.**

Chief patron: Greason

Summary: 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 ACT (PreACT) or the Preliminary SAT/National Merit Scholarship Qualifying Test (PSAT/NMSQT) examination. _


Home Instruction

[HB 2355](#)  / [SB 1414](#)  **Students receiving home instruction; participation in AP and PSAT/NMSQT.**

Chief patron: Pogge/ Newman

Summary: Requires school boards to: (i) make the Advanced Placement (AP), the Preliminary SAT/National Merit Scholarship Qualifying Test (PSAT/NMSQT), and the PreACT examinations available to students receiving home instruction; (ii) adopt written policies that specify the date by which such students shall register to participate in such examinations; and (iii) notify such students and their parents of such registration deadline and the availability of financial assistance to low-income and needy students to take such examinations.

Local School Boards

[HB 1490](#)  **School board members who are called to active duty; appointment of acting school board members.**

Chief patron: Marshall, R.G.

Summary: Requires each school board member who is relieved from the duties of his office because of certain military obligations to submit to the school board a list of names of suitable persons to perform the duties of such office as an acting school board member during the school board member's leave of absence. The school board is required to consider appointing and may appoint an acting school board member from such list of names. The bill provides that during such period, the acting school board member shall be vested with all the powers, authority, rights, and duties of the regular school board member for whom he is acting. If the school board does not make an appointment from such list, the school board shall notify the submitting member in writing of the rationale for its decision.

[HB 2174](#) ☞ **School boards; annual report on pupil/teacher ratios in middle and high school classrooms.**

Chief patron: Murphy

Summary: Requires each school board to annually report to the public the actual pupil/teacher ratios in middle school and high school by school for the current school year, no later than December 31.

[HB 2306](#) ☞ **Arlington County School Board; maximum salary of members.**

Chief patron: Hope

Summary: Removes the \$25,000 cap on the salary of certain members of the Arlington County School Board, thereby permitting each member of such school board to be paid a salary in accordance with the general procedures and limits that are applicable to elected school boards in the Commonwealth.

[HB 2431](#) ☞ **School property; retail fee-based electric vehicle charging stations.**

Chief patron: Bulova

Summary: Permits any school board to locate and operate retail fee-based electric vehicle charging stations on school property, provided that the use of each such station during the school day is restricted to school board employees, students, and authorized visitors and each such station is accompanied by appropriate signage that provides reasonable notice of such restriction. The ownership or operation of this type of facility by a school board, and the selling of electric vehicle charging service from that facility by a school board, does not render the school board a public utility, public service corporation, or public service company solely because of that sale, ownership, or operation.

[SB 1359](#) ☞ **School boards, local; lead testing of potable water in schools.**

Chief patron: McPike

Summary: Requires each local school board to develop and implement a plan to test for lead and, if necessary, remediate potable water from sources identified by the U.S. Environmental Protection Agency as high priority for testing, giving priority in such testing plan to schools whose school building was constructed, in whole or in part, before 1986.

Special Education

[HB 2395](#) ☞ / [SB 1516](#) ☞ **Public Schools; dyslexia advisor.**

Chief patron: Cline/Black

Summary: Requires one reading specialist employed by each local school board that employs reading specialists to have training in the identification of and the appropriate interventions, accommodations, and teaching techniques for students with dyslexia or a related disorder and to have an understanding of the definition of dyslexia and a working knowledge of several topics relating to dyslexia.

Student Discipline

[HB 1709](#) ☞ **School boards; policies and procedures prohibiting bullying, parental notification.**

Chief patron: Filler-Corn

Summary: 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 five school days of the allegation of bullying.

[HB 1924](#) ☞ / [SB 829](#) ☞ **Public schools; suspensions.**

Chief patron: Bagby/Wexton

Summary: Directs the Board of Education to establish guidelines for alternatives to short-term and long-term suspension for consideration by local school boards.

Student Health and Nutrition

HB 1408 [↗](#) Student vision screenings; requirements for certain students.

Chief patron: Ware

Summary: 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. The bill 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 or other methods that comply with Department of Education requirements. The bill defines "qualified nonprofit vision health organization" and "comprehensive vision program." Prior to July 1, 2017, the frequency of such vision screenings was determined by the Board of Education pursuant to regulations and the law was silent on the method and provider of such vision screenings.

HB 1437 [↗](#) Public school students; sight and hearing testing, exceptions

Chief patron: Head

Summary: Excludes any student who has an Individualized Education Program or a Section 504 Plan that documents a defect of vision or hearing or a disease of the eyes or ears from the requirement that the sight and hearing of public school students be tested, when the principal determines that such a test would not identify any previously unknown defect of vision or hearing or disease of the eyes or ears.

HB 1661 [↗](#) Administration of medications to treat adrenal crisis.

Chief patron: Greason

Summary: Provides that a prescriber may authorize an employee of: (i) a school board; (ii) a school for students with disabilities; or (iii) an accredited private school who is trained in the administration of injected medications for the treatment of adrenal crisis resulting from a condition causing adrenal insufficiency to administer such medications to a student diagnosed with a condition causing adrenal insufficiency when the student is believed to be experiencing or about to experience an adrenal crisis pursuant to a written order or standing protocol issued within the course of the prescriber's professional practice and with the consent of the student's parents. The bill provides that any such authorized employee who administers or assists in the administration of such medications to a student diagnosed with a condition causing adrenal insufficiency when the student is believed to be experiencing or about to experience an adrenal crisis in accordance with the prescriber's instructions shall not be liable for any civil damages for ordinary negligence in acts or omissions resulting from the rendering of such treatment.

SB 1116 [↗](#) Public school employees, certain; assistance with student insulin pumps by school nurse staff.

Chief patron: McPike

Summary: Authorizes, but does not require, local school board employees who are registered nurses, licensed practical nurses, or certified nurse aides and who have been trained in the administration of insulin, including the use and insertion of insulin pumps, and the administration of glucagon to assist a student who is diagnosed with diabetes and who carries an insulin pump with the insertion or reinsertion of the pump or any of its parts, provided that assistance has been authorized by the prescriber and consented to by the student's parent.

Student Safety

HB 1392 [↗](#) School security officers; carrying a firearm in performance of duties

Chief patron: Lingamfelter

Summary: Authorizes a school security officer to carry a firearm in the performance of his duties if: (i) within 10 years immediately prior to being hired by the local school board he was an active law-enforcement officer in the Commonwealth; (ii) he retired or resigned from his position as a law-enforcement officer in good standing; (iii) he meets the training and qualifications to carry a concealed handgun as a retired law-

enforcement officer; (iv) he has met the additional training and certification requirements of the Department of Criminal Justice Services (DCJS); (v) the local school board solicits information from the chief law-enforcement officer of the locality regarding the qualifications of the school security officer and receives verification from such chief law-enforcement officer that the school security officer is not prohibited by state or federal law from possessing, purchasing, or transporting a firearm; and (vi) the local school board grants him the authority to carry a firearm in the performance of his duties. The bill requires DCJS to establish additional firearms training and certification requirements for school security officers who carry a firearm in the performance of their duties. Existing law requires DCJS to establish minimum training and certification requirements for school security officers.

[HB 1485](#) ☑ Sexual offenses; prohibits person from proximity to children and working on school property.

Chief patron: Bell, Richard P.

Summary: Amends current law by expanding the prohibition on those convicted of certain qualifying sex crimes from being or residing in proximity to schools and other certain other property where children congregate, and from working on school property. This prohibition currently only applies to individuals convicted of such crimes in Virginia, and the bill expands the qualifying sex crimes to include convictions of those crimes from other states and countries that are similar to Virginia's laws. This expanded prohibition only applies to residences established on and after July 1, 2017.

[HB 1586](#) ☑ Court-ordered custody and visitation arrangements; transmission of order to child's school.

Chief patron: Campbell

Summary: Provides that, in any custody or visitation case in which an order prohibiting a party from picking a child up from school is entered, the court shall order a party to provide a copy of such order to the school at which the child is enrolled within three business days of the party's receipt of the order. The bill requires that, where a custody determination affects a child's school enrollment and prohibits a party from picking up a child from school, the court shall order a party to provide a copy of the custody order to the school at which the child will be enrolled within three business days of the party's receipt of such order. The bill further provides that if the court determines that a party is unable to deliver the order to the school, such party shall provide the court with the name of the principal and address of the school, and the court shall cause the order to be mailed to such principal.

[HB 2282](#) ☑ Children, trafficking of; guidelines for training school counselors, school nurses and other relevant school staff.

Chief patron: Leftwich

Summary: Requires the Board of Education to develop guidelines for training school counselors, school nurses, and other relevant school staff on the prevention of trafficking of children.

Student Privacy

[SB 951](#) ☑ School service providers; student access to collected personal information.

Chief patron: Ruff

Summary: Requires school service providers to provide, either directly to the student or his parent or through the school, access to an electronic copy of such student's personal information in a manner consistent with the functionality of the school service. The bill permits contracts between local school boards and school service providers to require that such electronic copy be in a machine-readable format.

Teacher Compensation

[HB 2332](#) ☑ Teachers; compensation at rate competitive with national average salary

Chief patron: Tyler

Summary: Defines the term “competitive,” with respect to the Commonwealth’s goal for teacher compensation to be competitive, to mean at a minimum, at or above the national average teacher compensation.

Teacher Preparation, Licensure, and Evaluation

HB 1663 / SB 1493 **Northern Va. Community College, et al.; computer science training, etc., for public school teachers.**

Chief patron: Greason/McClellen

Summary: Requires Northern Virginia Community College (i) in consultation with the Department of Education, to contract with a partner organization to develop, market, and implement high-quality and effective computer science training and professional development activities for public school teachers throughout the Commonwealth for the purpose of improving the computer science literacy of all public school students in the Commonwealth and (ii) to establish an advisory committee for the purpose of advising the college and its partner organization on the development, marketing, and implementation of such training and professional development activities.

HB 1770 / SB 1583 **Teacher licensure; career and technical education, certain local waivers.**

Chief patron: Freitas/Suetterlein

Summary: Permits local school boards or division superintendents to waive certain licensure requirements for any individual who is seeking initial licensure or renewal of a license with a career and technical education endorsement when the school division seeks to employ the individual as a career and technical education teacher. The bill does not permit waivers of the licensure requirements for: (i) training in child abuse recognition and intervention; (ii) training in emergency first aid, cardiopulmonary resuscitation, and the use of an automated external defibrillator; and (iii) industry certification credentialing for career and technical education endorsements.

HB 1829 **Teacher licensure; certification or training in emergency first aid, etc., hands-on practice.**

Chief patron: Dudenhefer

Summary: Specifies that the certification or training in emergency first aid, cardiopulmonary resuscitation, and the use of automated external defibrillators that is required of every person seeking initial licensure or renewal of a license as a teacher shall include hands-on practice of the skills necessary to perform cardiopulmonary resuscitation.

HB 2140 / SB 1523 **Teachers turnover; exit questionnaire.**

Chief patron: LeMunyon/Mason

Summary: 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, 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.

HB 2352 **Teacher licensure by reciprocity; professional teacher's assessments, report.**

Chief patron: Freitas

Summary: Exempts any individual from any professional teacher's assessment requirements who has obtained a valid out-of-state license, with full credentials and without deficiencies, that is in force at the time the individual’s application for a Virginia license is received by the Department of Education. This exemption is

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.

[HB 2432](#) Teachers and other school personnel; investigation of certain complaints, license revocation.

Chief patron: Bulova

Summary: Requires the Board of Education to include in its regulations governing the licensure of teachers and other school personnel procedures for the immediate and thorough investigation by the division superintendent or his designee of any complaint alleging that a license holder has engaged in conduct that may form the basis for the revocation of his license. Such regulations must include requirements for: (i) the division superintendent to petition for the revocation of the license upon completing such investigation and finding that there is reasonable cause to believe that the license holder has engaged in conduct that forms the basis for revocation of a license; (ii) the school board to proceed to a hearing on such petition for revocation within 90 days of the mailing of a copy of the petition to the license holder, unless the license holder requests the cancellation of his license in accordance with Board regulations; and (iii) the school board to provide a copy of the investigative file and such petition for revocation to the Superintendent of Public Instruction at the time that the hearing is scheduled. Also, under current law, any teacher who is or becomes the subject of a founded complaint of child abuse and neglect shall be dismissed after all rights to appeal have been exhausted. The bill clarifies that such appeals are administrative in nature.

[SB 1117](#) School counselors; licensure.

Chief patron: McPike

Summary: Requires every person seeking initial licensure or renewal of a license with an endorsement as a school counselor to complete training in the recognition of mental health disorder and behavioral distress, including depression, trauma, violence, youth suicide, and substance abuse.

[SB 1160](#) Teacher Education and Licensure, Advisory Board on; increases membership.

Chief patron: Reeves

Summary: Adds three legislative members to the Advisory Board on Teacher Education and Licensure, two such members shall be members of the House of Delegates appointed by the Speaker of the House of Delegates and one shall be a member of the Senate appointed by the Senate Committee on Rules.

Transportation

[HB 1888](#) Wireless telecommunications devices; use by persons driving school buses.

Chief patron: Hugo

Summary: Allows school bus drivers to use, in addition to two-way radio devices, wireless telecommunications devices that are used hands free to communicate with school or public safety officials.

2017 Appropriation Act

[Item 213.V.1](#)

The Virginia Community College System, in coordination with the Department of Education, the State Council of Higher Education for Virginia, and the P-20 Council shall: (1) examine the rigor of dual enrollment general education courses; (2) establish structured dual enrollment career technical education and general education program pathways that lead to completion of certificates, diplomas, or associate degrees; (3) develop a process to create a dual enrollment general education course catalog that designates uniform transferability of courses to public four-year institutions of higher education; (4) develop guidelines for the implementation of improved transparent and accurate communication of dual enrollment course credit

information to local school divisions, parents, and students; (5) recommend uniform pricing models for dual enrollment course delivery that sustain the affordability of dual enrollment offered by the Virginia Community College System and reflect the positive existing partnerships between local school divisions and Virginia's 23 community colleges; and (6) develop shared funding recommendations for the delivery of early college high school programs. A report of the preliminary findings shall be delivered to the Chairman of the Senate Finance Committee and the Chairman of the House Appropriations Committee by May 1, 2017, with a final report by May 1, 2018.

Legislation Vetoed by the Governor

HB 1400 / SB 1240 **Virginia Virtual School Board; established, report.**

Chief patron: Bell/Dunnavant

Summary: Establishes the Board of the Virginia Virtual School (the Board) as a policy agency in the executive branch of state government for the purpose of governing the full-time virtual school programs offered to students enrolled in the Virginia Virtual School (the School). The Secretary of Education is responsible for such agency. The 14-member Board is given operational control of the School and assigned powers and duties. Beginning with the 2019-2020 school year, the bill requires the School to be open to any school-age person in the Commonwealth and to provide an educational program meeting the Standards of Quality for grades kindergarten through 12, with a maximum enrollment of 5,000 students statewide. The bill requires the average state share of Standards of Quality per pupil funding for each enrolled student to be transferred to the School.

HB 1578 **Students who receive home instruction; participation in interscholastic programs (Tebow Bill).**

Chief patron: Bell

Summary: Prohibits public schools from joining an organization governing interscholastic programs that does not deem eligible for participation a student who (i) receives home instruction; (ii) has demonstrated evidence of progress for two consecutive academic years; (iii) is in compliance with immunization requirements; (iv) is entitled to free tuition in a public school; (v) has not reached the age of 19 by August 1 of the current academic year; (vi) is an amateur who receives no compensation but participates solely for the educational, physical, mental, and social benefits of the activity; (vii) complies with all disciplinary rules and is subject to all codes of conduct applicable to all public high school athletes; and (viii) complies with all other rules governing awards, all-star games, maximum consecutive semesters of high school enrollment, parental consents, physical examinations, and transfers applicable to all high school athletes. The bill provides that no local school board is required to establish a policy to permit students who receive home instruction to participate in interscholastic programs. The bill permits reasonable fees to be charged to students who receive home instruction to cover the costs of participation in such interscholastic programs, including the costs of additional insurance, uniforms, and equipment. The bill has an expiration date of July 1, 2022.

HB 1605 **Virginia Parental Choice Education Savings Accounts; established, report.**

Chief patron: LaRock

Summary: Establishes the Parental Choice Education Savings Account program, which would be available to lower-income parents of students with disabilities. Parents would apply to the school division in which the student resides for a one-year, renewable account consisting of 90 percent of all annual Standards of Quality per-pupil state funds, including state special education funds and the per-pupil share of state sales tax funding for the locality in which the student resides. The parent would be permitted to use the moneys in the account for certain education-related expenses of the student, including tuition, deposits, fees, and required textbooks at a private, sectarian or nonsectarian elementary or secondary school or preschool that is located in the Commonwealth and does not discriminate on the basis of race, color, or national origin. Provisions are included relating to auditing, rescinding, and reviewing expenses made from such accounts. The bill includes a clause that would require the 2018 General Assembly to re-enact the bill in order for it to take effect.

HB 1708  Standards of Accreditation; industry certification credentials obtained by high school students.

Chief patron: Filler-Corn

Summary: Requires the Board of Education (the Board) to consider for inclusion in the student outcome measures included in the Standards of Accreditation the number of industry certification credentials, as defined by the Board, obtained by high school students. The bill requires the Board to report its conclusion to the Chairmen of the House Committee on Education and the Senate Committee on Education and Health by November 1, 2017. The bill prohibits the Board from including the number of such credentials in the student outcome measures included in the Standards of Accreditation prior to the 2018 Session of the General Assembly.

HB 2191  School boards; procedures for handling sexually explicit instructional materials, etc.

Chief patron: Landes

Summary: 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 or any act defined and punishable as a felony under § 18.2-361.

HB 2342 / SB 1283.  Public schools; Board of Education shall only establish regional charter school divisions.

Chief patron: Landes/Obenshain

Summary: Authorizes the Board of Education (the Board) to establish regional charter school divisions consisting of at least two but not more than three existing school divisions in regions in which each underlying school division has an enrollment of more than 3,000 students and one or more schools that have accreditation denied status for two out of the past three years. The bill requires such regional charter school divisions to be supervised by a school board that consists of eight members appointed by the Board and one member appointed by the localities of each of the underlying divisions. The bill authorizes the school board, after a review by the Board, to review and approve public charter school applications in the regional charter school divisions and to contract with the applicant. The bill requires that the state share of Standards of Quality per pupil funding of the underlying school district in which the student resides be transferred to such school.

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.

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