# Report on 2022

# General Assembly

# activity

This report provides an update on legislative and budget

provisions related to preK-12 education as well as

early childhood care and licensure that passed during

the 2022 Regular and Special Sessions of the General Assembly.

Updated as of June 14, 2022.

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## Appropriation Act

### Assessments

The enrolled budget includes $1M in each year to continue the Virginia Kindergarten Readiness Program (VKRP) Pre-K expansion for 4-year-olds enrolled in publicly-funded pre-k programs as well as to pilot the use and development of VKRP for 3-year-olds.

There is also $650K in FY23 and $875K in FY24 to develop a pilot school readiness assessment for grades 1-3 similar to the VKRP assessment for Pre-K and K.

### Compensation

The enrolled budget includes a 5% salary increase in each year of the biennium for funded Standards of Quality instructional and support positions. School divisions must provide a minimum 2.5% salary increase in FY23 and FY24 in order to access additional state funds through this program in FY24.

Additionally, American Rescue Plan Act funds were appropriated to provide an optional one-time $1,000 bonus for these positions in FY23.

### Direct Aid

The enrolled budget includes the state’s share of routine rebenchmarking of costs for all SOQ and other Direct Aid programs. These technical adjustments include updates for factors such as funded salaries, Annual School Report data used to calculate prevailing support costs and positions, inflation factors, Standards of Learning test score updates, enrollment updates, and projected caseloads for Lottery, incentive and categorical programs.

The enrolled budget also includes two hold harmless provisions: (1) A rebenchmarking hold harmless of $177.1M in FY23 and $177.4M in FY24 to address any rebenchmarking data elements impacted by the pandemic; and (2) A sales tax hold harmless of $104.1M in FY23 and $257.2M in FY24 to hold divisions harmless for the elimination of the 1% sales tax revenue from food and personal hygiene products

### Early Childhood Care and Education

The enrolled budget takes several actions related to the ongoing expansion and improvement of our early childhood care and education programs, among them being: (1) Transitioning the at-risk three-year-old pilot in VPI to a standing program; (2) $10M in both years for early childhood educator incentives; and (3) Expanding the Mixed-Delivery program via the Virginia Early Childhood Foundation to support public-private delivery of pre-kindergarten services for at-risk three- and four-year-old children, as well as pilot a program to serve 200 infants and toddlers; and (4) Additional funding for the Mixed-Delivery Add-On Grant to better align state support amounts with the cost of service.

The enrolled budget also includes $456K in FY23 and $697K in FY24 to expand classroom observations in publicly-funded early childhood programs in support of the Unified Measurement and Improvement System (VQB5).

### Educator Workforce Incentives

The enrolled budget includes $1.5M in FY23 to increase the supply of qualified educators and support educator recruitment and retention efforts. This money can be used to supplement existing recruitment and retention initiatives but is only one-time funding.

Additionally, $10M in FY23 from ARPA is appropriated to support teacher recruitment incentive payments to fill unfilled instructional positions in the 2022-2023 school year, as a continuation of the RIPE program run by DOE in FY22.

### Instruction

In addition to funding for reading specialist positions (as cited below), the enrolled budget includes $4.8M in FY23 and $4.6M in FY24 to support implementation of the Virginia Literacy Act beginning in FY25. This funding does include one position at VDOE.

The enrolled budget include $200K in FY23 to study options for expanding student access to Academic Year Governor's Schools.

### Laboratory Schools

The enrolled includes a $100M deposit to the College Partnership Laboratory Schools Fund in FY23. The Board is authorized to award $5M for planning grants, $20M for startup grants, and distribute per pupil operating funds to approved lab schools. Any unobligated funds revert to the GF at the end of FY24. The Board is also required to establish Fund guidelines before releasing funds.

### School Construction

The enrolled budget includes $400M in FY23 for the School Construction Grant Program for non-recurring capital expenses. All school divisions receive a base $1.0 million allocation in the funding formula, with remaining funds distributed to school divisions on the basis of weighted average daily membership, or ADM (a combination of projected ADM and the local composite index) based on actual March 31, 2022 numbers.

The budget also includes $450M ($400 from General Fund and $50M from Literary Fund) to establish the School Construction Assistance Program. The Assistance program will provide competitive grants for school construction and modernization, based on demonstrated poor building conditions, commitment, and need. Grants would cover 10% to 30% of reasonable project costs, based on LCI and fiscal stress index. The Board is required to establish guidelines for the grants.

Lastly, there are also various language amendments related to the use of Literary Fund loans for school construction, including the elimination of the priority waiting lists, maximum loan amounts, add-on loan options, and a new reporting requirement. Additionally, the Board is authorized to award up to $200M from the literary fund in each year.

### Staffing and Student Support

The enrolled budget provides an additional $171M in FY23 and $74.2M in FY24 to increase the Basic Aid per pupil add-on range from its current maximum of 26% in FY 2022 to 36.0% in both years, matching the 36.0% maximum add-on funded for fiscal year 2024.

The budget includes $30.8M in FY23 and $31.6M in FY24 to divisions to staff one reading specialist per 550 students in grades K-3. This provides flexibility for divisions to employ other instructional staff working toward obtaining the training and licensure requirements for reading specialists as prescribed in HB319 and effective in FY25.

Lastly, the enrolled budget includes $10M in FY23 and $10.2M in FY24 for one full-time principal position for each elementary school.

## Assessments

[HB197](https://lis.virginia.gov/cgi-bin/legp604.exe?221+ful+HB197) (Webert) Public elementary and middle schools; student growth assessments. Requires the Board of Education, in implementing the through-year growth assessment system for the administration of reading and mathematics assessments in grades three through eight, to seek input and suggestions from each interested local school division in the Commonwealth regarding ways in which the administration of such assessments and the reporting of assessment results can be improved, and shall, to the extent possible, incorporate such input and suggestions into the through-year growth assessment system.

[HB585](https://lis.virginia.gov/cgi-bin/legp604.exe?221+ful+HB585) (VanValkenburg) Secretary of Education and Superintendent of Public Instruction; revisions to Standard of Learning summative assessments. Directs the Secretary of Education and the Superintendent of Public Instruction to convene and consult a work group to revise the Standards of Learning summative assessments of proficiency and to develop a plan for implementation of such revised assessments that shall consider best practices and innovations in summative assessments of proficiency, alternative approaches to current and new assessment items, assessment items that include open-ended questions, long-form writing, and other tasks, a plan for pilot implementation of such assessment items prior to the 2027–2028 school year, the development of a bank of vetted sample assessment items, recommended legislative and regulatory changes and funding necessary to implement approaches considered by the work group, and a proposed timeline for implementation. The bill requires the Department of Education to submit its initial plan for implementation of revised Standards of Learning summative assessments developed by the work group to the General Assembly no later than November 1, 2023, with annual updates on implementation of such plan no later than November 1 each year thereafter through 2027.

## Board of Education

[HB879](https://lis.virginia.gov/cgi-bin/legp604.exe?221+ful+HB879) (Rasoul) Board of Education; membership; qualifications. Requires the Governor to consider appointing to the Board of Education at least one member with experience or expertise in local government leadership or policymaking, at least one member with experience or expertise in career and technical education, and at least one member with experience or expertise in early childhood education.

[HB938](file:///C:\Users\lesliemsale\Downloads\HB938) (Robinson) Requires the Board of Education to collaborate with the Superintendent of Public Instruction and the Secretary of Education to convene a group of stakeholders to include parents, public school principals, public school superintendents, public school board members, public school teachers, institutions of higher education, the State Council of Higher Education for Virginia, industry partners and employers, and other concerned stakeholders to evaluate, to implement where possible, and to otherwise make recommendations to the General Assembly regarding the following goals: (i) promoting excellence in instruction and student achievement in mathematics; (ii) expanding the Advanced Studies Diploma as an option for students in public high schools in the Commonwealth; (iii) increasing the transparency and honesty of performance measures for public elementary and secondary schools in the Commonwealth; (iv) ensuring that performance measures for public elementary and secondary schools prioritize the attainment of grade-level proficiency and growth during the course of a school year and from school year to school year in reading and mathematics for all students, especially in grades kindergarten through five; (v) ensuring that the Commonwealth's proficiency standards on Standards of Learning assessments in reading and mathematics are maintained; and (vi) ensuring a strong accreditation system that promotes meaningful accountability year-over-year. The bill requires the Secretary of Education and the Superintendent of Public Instruction, no later than November 30, 2022, to report to the Chairmen of the House Committee on Education and the Senate Committee on Education and Health the results of such evaluation and recommendations to achieve such goals.**\*This is a Governor’s bill.**

[HB1188](https://lis.virginia.gov/cgi-bin/legp604.exe?221+ful+HB1188) (Davis) Board of Education; Student Advisory Board established. Establishes the Student Advisory Board for the purpose of providing student perspectives on matters before the Board of Education.

## College Partnership Laboratory Schools

[HB346](https://lis.virginia.gov/cgi-bin/legp604.exe?221+ful+HB346) (Davis) and [SB598](https://lis.virginia.gov/cgi-bin/legp604.exe?221+ful+SB598) (Pillion) College partnership laboratory schools; application and establishment. Permits any public institution of higher education or private institution of higher education to apply to the Board of Education (the Board) to establish a college partnership laboratory school as a new school or through the conversion of all or part of an existing school. Under current law, only public and private institutions of higher education that operate approved teacher education programs are permitted to apply to the Board to establish such a school and no explicit provision is made for the conversion of an existing school. The bill requires the Board, in reviewing such applications, to give substantial preference to any application from a historically black college or university and any application to establish a college partnership laboratory school in an underserved community, which the bill defines as a geographical area that is served by public schools in which a high percentage of students are eligible to receive free or reduced-price lunch, as determined by the Board. **\*These are Governor’s bills. Please note that these bills are still pending conference but no further action has been taken since the 2022 Regular Session.**

## Early Childhood Care and Education

[HB389](https://lis.virginia.gov/cgi-bin/legp604.exe?221+ful+HB389) (Bulova) Early childhood care and education; regional entities; Child Care Subsidy Program Overpayment Fund established. Requires the Board of Education to establish a system of regional entities that will be responsible for coordinating early childhood care and education services, guiding quality improvement of such services and coordinated access to such services for families, and implementing the uniform measurement and improvement system. The bill establishes the Child Care Subsidy Program Overpayment Fund, consisting of all overpayment moneys collected or recovered by the Department of Education or any state or local agency contracted to administer the Child Care Subsidy Program, net of any refunds due to the federal government, to be used solely for the purpose of covering the cost of providing training and supports to early childhood care and education entities. **\*This is an agency bill.**

[HB994](https://lis.virginia.gov/cgi-bin/legp604.exe?221+ful+HB994) (Brewer) and [SB529](https://lis.virginia.gov/cgi-bin/legp604.exe?221+ful+SB529) (Reeves) Board of Education; Child Care Subsidy Program; Armed Forces; examination and report. Directs the Board of Education to determine the feasibility of amending its regulations to permit all active duty members of the Armed Forces of the United States who serve as caregivers to dependents to apply for the Child Care Subsidy Program and submit its findings to the House Committee on Education and the Senate Committee on Education and Health. **\*These are Governor’s bills.**

[HB1328](https://lis.virginia.gov/cgi-bin/legp604.exe?221+ful+HB1328) (Delaney) and [SB737](https://lis.virginia.gov/cgi-bin/legp604.exe?221+ful+SB737) (Boysko) Early childhood care and education entities; administration of epinephrine. Requires the Board of Education to amend its regulations to require each early childhood care and education entity to implement policies for the possession and administration of epinephrine in every such entity, to be administered by any nurse at the entity, employee at the entity, or employee of a local health department who is authorized by a prescriber and trained in the administration of epinephrine to any child believed to be having an anaphylactic reaction. The bill mandates that such policies shall require that at least one school nurse, employee at the entity, or employee of a local health department who is authorized by a prescriber and trained in the administration of epinephrine has the means to access at all times during regular facility hours any such epinephrine that is stored in a locked or otherwise generally inaccessible container or area. This bill shall be known as Elijah's Law.

[SB193](https://lis.virginia.gov/cgi-bin/legp604.exe?221+ful+SB193) (Mason) Child day programs; licensure; accredited private schools. Adds to the list of child day programs not required to be licensed by the Superintendent of Public Instruction to operate in the Commonwealth programs offered by accredited private schools that are in good standing with the Virginia Council for Private Education and operate for no more than four hours per day. The bill provides that, to be exempt from licensure, such accredited private school programs must be staffed by the accredited private school's employees and attended by children who are at least five years of age and are enrolled in the school. The bill requires such programs to be subject to safety and supervisory standards established by the Virginia Council for Private Education.

## Facilities and Transportation

### Facilities

[HB563](https://lis.virginia.gov/cgi-bin/legp604.exe?221+ful+HB563) (O'Quinn) and [SB473](https://lis.virginia.gov/cgi-bin/legp604.exe?221+ful+SB473) (McClellan) School division maintenance reserve tool; School Construction Fund and Program established. Requires the Department of Education, in consultation with the Department of General Services, to develop or adopt and maintain a data collection tool to assist each school board to determine the relative age of each public school building in the local school division and the amount of maintenance reserve funds that are necessary to restore each such building. The bill requires each school board to provide to the Department of Education in a timely fashion the local data that is necessary to ensure that such tool remains relevant and useful for the determination of maintenance reserve needs. The bill requires the Department of Education to consider converting or using as a template the Department of General Services' Real Estate and Assets Management system for tracking buildings and infrastructure maintenance status to meet the above requirement to maintain such a tool. The bill also establishes the School Construction Fund and Program for the purpose of awarding grants to local school boards to fund the construction of new public school buildings or the renovation or expansion of existing public school buildings in the local school division. The bill requires any revenues remaining in the Gaming Proceeds Fund after certain enumerated appropriations are made to be appropriated to the School Construction Fund. **\*Please note that these bills are still pending conference but a conference amendment has been reported and is being considered by the chambers.**

[SB238](https://lis.virginia.gov/cgi-bin/legp604.exe?221+ful+HBSB238) (McPike) Department of Education; school division maintenance reserve tool. Requires the Department of Education, in consultation with the Department of General Services, to develop or adopt and maintain a data collection tool to assist each school board to determine the relative age of each public school building in the local school division and the amount of maintenance reserve funds that are necessary to restore each such building. The bill requires each school board to provide to the Department of Education in a timely fashion the local data that is necessary to ensure that such tool remains relevant and useful for the determination of maintenance reserve needs. The bill requires the Department of Education to consider converting or using as a template the Department of General Services' M-R FIX tool to meet the above requirement to maintain such a tool. This bill is a recommendation of the Commission on School Construction and Modernization.

## Learning and Instructional Material

### Career and Technical Education

[HB718](https://lis.virginia.gov/cgi-bin/legp604.exe?221+ful+HB718) (Filler-Corn) and [SB661](https://lis.virginia.gov/cgi-bin/legp604.exe?221+ful+SB661) (Lucas) Virginia Board of Workforce Development; powers and duties; collaboration to develop apprenticeship program. Directs the Virginia Board of Workforce Development to assist the Governor in collaborating with the Department of Education and the Secretaries of Labor, Education, and Commerce and Trade to develop and administer an office that shall serve as the primary office for apprenticeship programs. The Department of Education and the Secretaries of Labor, Education, and Commerce and Trade shall rely on data from the Office of Education and Labor Market Alignment in developing apprenticeship programs that are based on high-demand industry needs.

### Family Life Education

[HB1023](https://lis.virginia.gov/cgi-bin/legp604.exe?221+ful+HB1023) (Guzman) Certain family life education curricula; optional instruction on human trafficking. Permits any family life education curriculum offered by a local school division before high school to incorporate age-appropriate elements of effective and evidence-based programs on the prevention, recognition, and awareness of human trafficking of children.

### General Curriculum and Instructional Material

[HB1272](https://lis.virginia.gov/cgi-bin/legp604.exe?221+ful+HB1272) (Batten) and [SB739](https://lis.virginia.gov/cgi-bin/legp604.exe?221+ful+SB739) (Dunnavant) Public elementary and secondary schools and public school-based early childhood care and education programs; student instruction; masks; emergency. Requires, except in the case of the 10 unscheduled remote learning days otherwise permitted by law or in certain cases of student discipline, each school board to offer in-person instruction, as defined in the bill, to each student enrolled in the local school division in a public elementary or secondary school for at least the minimum number of required annual instructional hours and to each student enrolled in the local school division in a public school-based early childhood care and education program for the entirety of the instructional time provided pursuant to such program. The bill permits, notwithstanding any other provision of law or any regulation, rule, or policy implemented by a school board, school division, school official, or other state or local authority, the parent of any child enrolled in a public elementary or secondary school, or in any school-based early childhood care and education program, to elect for such child to not wear a mask while on school property. The bill provides that no parent making such an election shall be required to provide a reason or any certification of the child's health or education status and no student shall suffer any adverse disciplinary or academic consequences as a result of this parental election. The bill requires each local school division to comply with the foregoing provisions relating to masks no later than March 1, 2022. The bill clarifies that none of the foregoing provisions shall be construed to affect the authority granted to the Governor to achieve the purposes of relevant emergency services and disaster law with regard to a communicable disease of public health threat. The bill contains an emergency clause.

[SB656](https://lis.virginia.gov/cgi-bin/legp604.exe?221+ful+SB656) (Dunnavant) Department of Education; local school boards; policies on sexually explicit content in instructional material. Requires the Department of Education to develop no later than July 31, 2022, model policies and each local school board to adopt no later than January 1, 2023, policies for ensuring parental notification of any instructional material that includes sexually explicit content and include information, guidance, procedures, and standards relating to (i) ensuring parental notification; (ii) directly identifying the specific instructional material and sexually explicit subjects; and (iii) permitting the parent of any student to review instructional material that includes sexually explicit content and provide, as an alternative, nonexplicit instructional material and related academic activities to any student whose parent so requests. The bill provides that the local school board policies shall be consistent with but may be more comprehensive than the model policies developed by the Department. The bill states that the provisions of the bill shall not be construed as requiring or providing for the censoring of books in public elementary and secondary schools. **\*This is a Governor’s bill.**

### Governor’s Schools

[HB127](https://lis.virginia.gov/cgi-bin/legp604.exe?221+ful+HB127) (Davis) Academic year Governor's Schools; certain practices prohibited and required. Prohibits any academic year Governor's School or governing board member, director, administrator, or employee thereof from discriminating against any individual or group on the basis of race, sex, color, ethnicity, or national origin in the process of admitting students to such school. The bill requires each local school board that jointly manages and controls a regional academic year Governor's school to collaborate to ensure that each public middle school that is eligible to send students to attend such Governor's school offers coursework, curriculum, and instruction that is comparable in content and in rigor in order to provide each student in each such middle school with the opportunity to gain admission to and excel academically at such Governor's school. **\*This is a Governor’s bill.**

### Literacy

[HB319](https://lis.virginia.gov/cgi-bin/legp604.exe?221+ful+HB319) (Coyner) and [SB616](https://lis.virginia.gov/cgi-bin/legp604.exe?221+ful+SB616) (Lucas) Virginia Literacy Act; early student literacy; evidence-based literacy instruction; science-based reading research. Makes several changes relating to early student literacy, including requiring (i) each education preparation program offered by a public institution of higher education or private institution of higher education or alternative certification program that provides training for any individual seeking initial licensure with an endorsement in a certain area, including as a reading specialist, to demonstrate mastery of science-based reading research and evidence-based literacy instruction, as such terms are defined in the bill; (ii) the literacy assessment required of individuals seeking initial teacher licensure with endorsements in certain areas to include a rigorous test of science-based reading research and evidence-based literacy instruction; (iii) each school board to establish a divisionwide literacy plan; and (iv) each local school board to provide a program of literacy instruction whereby, among other things, (a) the program provides reading intervention services to students in kindergarten through grade three who demonstrate deficiencies based on their individual performance on the Standards of Learning reading assessment or an early literacy screener provided or approved by the Department of Education; (b) a reading specialist, in collaboration with the teacher of any student who receives such reading intervention services, develops, oversees implementation of, and monitors student progress on a student reading plan; and (c) each student who receives such reading intervention services is assessed utilizing either the early literacy screener provided or approved by the Department or the grade-level reading Standards of Learning assessment again at the end of that school year. The provisions of the bill become effective beginning with the 2024–2025 school year. **\*These are Governor’s bills.**

[HB418](https://lis.virginia.gov/cgi-bin/legp604.exe?221+ful+HB418) (Delaney) Public elementary and secondary education; at-risk add-on funds; Reading Recovery. Removes Reading Recovery from the list of programs and initiatives for which school boards may use at-risk add-on funds.

### Other

[HB1108](https://lis.virginia.gov/cgi-bin/legp604.exe?221+ful+HB1108) (Rasoul) Public schools; instruction concerning gambling. Requires instruction concerning gambling and the addictive potential thereof to be provided by the public schools as prescribed by the Board of Education. The bill requires the Board of Education to report to the Chairmen of House Committee on Education and the Senate Committee on Education and Health a description of such instruction.

[HB1215](https://lis.virginia.gov/cgi-bin/legp604.exe?221+ful+HB1215) (Ransone) Physical education; personal safety training. Requires any physical education class offered to students in grades seven and eight to include at least one hour of personal safety training per school year in each such grade level that is developed and delivered in partnership with the local law-enforcement agency and consists of situational safety awareness training and social media education.

[HB1299](https://lis.virginia.gov/cgi-bin/legp604.exe?221+ful+HB1299) (Coyner) and [SB738](https://lis.virginia.gov/cgi-bin/legp604.exe?221+ful+SB738) (Morrissey) Department of Education; State Council of Higher Education for Virginia; instruction concerning post-graduate opportunities for high school students. Requires the Department of Education to collect and distribute to public schools and publicly post on its website information that assists high school students in making more informed decisions about their futures after graduating from high school and in doing so ensure that such students are aware of the costs and benefits of different educational and certificate programs. The bill directs the Department to annually collect and compile such information in consultation with the State Council of Higher Education for Virginia and any other entity that can assist the Department with collecting and compiling such information and to update its distribution materials accordingly each year. The bill requires the Department to post and distribute the information to school boards, with any relevant updates, no later than October 1 each year and requires each school board to ensure that the information is readily available to each high school student and distributed to each high school student who expresses an interest in attending an institution of higher education or completing another training program as described in the bill.

[SB78](https://lis.virginia.gov/cgi-bin/legp604.exe?221+ful+HB78) (Norment) Board of Education; driver education programs; parent/student driver education. Requires the Board of Education to include the requirement for an additional minimum 90-minute parent/student driver education component in its driver education program for all public school divisions. Under current law, the parent/student driver education component is required for Planning District 8 (Northern Virginia) and optional in all other school divisions.

### STEM+C

[HB217](https://lis.virginia.gov/cgi-bin/legp604.exe?221+ful+HB217) (Simonds) Virginia Science, Technology, Engineering, and Mathematics (STEM) Education Advisory Board; STEM and Computing (STEM+C); review federal occupational categories; report. Requires the Virginia STEM Education Advisory Board (the Board) to (i) review the occupational categories in the U.S. Bureau of Labor Statistics' standard occupational classification system to determine the occupational categories that are not properly captured in the Commonwealth's existing STEM+C workforce profile and the gaps in the Commonwealth's tracking of careers in these occupational categories for the purpose of better aligning K%9616 education priorities and the Board's tracking and coordination of STEM+C and (ii) share its findings with the Virginia Economic Development Partnership Authority's Office of Education and Labor Market Alignment (the Office) to include in the Office's efforts to specifically align STEM+C workforce and education. The bill requires the Board, in conducting such review, to focus on occupational categories such as advanced manufacturing, agriculture, financial systems, health care, military, and K%9616 education careers that are not currently tracked or categorized by the U.S. Bureau of Labor Statistics as STEM+C career fields. The bill also requires the Board to submit its findings and any recommendations to the General Assembly no later than October 1, 2022.

[HB1026](https://lis.virginia.gov/cgi-bin/legp604.exe?221+ful+HB1026) (Guzman) Superintendent of Public Instruction; establishment of the Digital Citizenship, Internet Safety, and Media Literacy Advisory Council. Requires the Superintendent of Public Instruction to establish and appoint no more than 12 members to the Digital Citizenship, Internet Safety, and Media Literacy Advisory Council (the Council), including at least one of each of the following: teacher, librarian, representative of a parent-teacher organization who is the parent of a school-age child, school administrator, and individual with expertise in digital citizenship, Internet safety, and media literacy. The bill requires the Council to (i) develop and recommend to the Board of Education for adoption a model policy for local school boards that would enable such school boards to better support the digital citizenship, Internet safety, and media literacy of all students in the local school division; (ii) develop and recommend to the Board for adoption model instructional practices for the safe, ethical, and responsible use of media and technology by students in public elementary and secondary schools; (iii) design and post on the Department of Education's website a page with links to successful instructional practices, curricula, and other teacher resources used in school divisions within and outside of the Commonwealth for the safe, ethical, and responsible use of media and technology by students and teachers; and (iv) submit a report of its findings to the Chairmen of the House Committee on Education and the Senate Committee on Education and Health no later than October 31, 2023. The bill has an expiration date of July 1, 2024.

## Local School Boards and Divisions

[HB18](https://lis.virginia.gov/cgi-bin/legp604.exe?221+ful+HB18) (Fowler) Appointed school board members; salaries. Permits any appointed school board to pay each of its members an annual salary that is consistent with the salary procedures and no more than the salary limits provided for local governments in relevant law or as provided by charter, with certain exceptions and conditions. Current law sets a specific maximum dollar amount for the salary of members of each such appointed school board.

[HB1138](https://lis.virginia.gov/cgi-bin/legp604.exe?221+ful+HB1138) (Reid) Loudoun County School Board; staggering of member terms; lot drawing; timeframe. Requires the lot drawing required to be conducted by the Loudoun County Electoral Board to determine the members of four of nine districts who will be elected to the Loudoun County School Board for four-year terms and the members of the remaining five districts who will be elected to the Loudoun County School Board for two-year terms to ensure the staggering of member terms for such school board to be conducted at the electoral board's first meeting of 2023 but no later than January 31, 2023.

[SB724](https://lis.virginia.gov/cgi-bin/legp604.exe?221+ful+SB724) (Pillion) School boards; broadband; annual report. Requires each school board to submit an annual report to the Virginia Department of Education and the Virginia Department of Housing and Community Development that lists each student's 9-1-1 address that does not have broadband service, as defined by the Federal Communications Commission, to the home beginning in the fall of 2022 through the 2025 school year.

## Miscellaneous

[HB246](https://lis.virginia.gov/cgi-bin/legp604.exe?221+ful+HB426) (Kilgore) and [SB596](https://lis.virginia.gov/cgi-bin/legp604.exe?221+ful+SB596) (Pillion) School attendance; 4-H educational programs and activities. Provides that students who miss a partial or full day of school while participating in 4-H educational programs and activities shall not be counted as absent for the purposes of calculating average daily membership and shall receive course credit in the same manner as they would for a school field trip. The bill directs each local school board to develop policies and procedures for students to make up missed work and may determine the maximum number of school days per academic year that a student may spend participating in 4-H educational programs and activities to not be counted absent.

[HB1022](https://lis.virginia.gov/cgi-bin/legp604.exe?221+ful+HB1022) (Guzman) Certain public elementary and secondary school students; excused absences; attendance at pow wow. Provides that, subject to guidelines established by the Department of Education, any student who is a member of a state-recognized or federally recognized tribal nation that is headquartered in the Commonwealth and who is absent from school to attend such tribal nation's pow wow gathering shall be granted an excused absence.

[SB161](https://lis.virginia.gov/cgi-bin/legp604.exe?221+ful+SB161) (Hashmi) Department of Education; heat-related illness; guidelines. Directs the Department of Education, in conjunction with stakeholders, to develop guidelines on policies to inform and educate coaches and student athletes and their parents or guardians of the nature and risk of heat-related illness, how to recognize the signs of heat-related illness, and how to prevent heat-related illness to be distributed to local school divisions by August 1, 2022.

[SB421](https://lis.virginia.gov/cgi-bin/legp604.exe?221+ful+SB421) (Edwards) Libraries and education services; obsolete provisions. Revises and repeals obsolete provisions in Title 22.1 (Education) related to early childhood education and elementary and secondary education and Title 42.1 (Libraries) related to libraries and the Virginia Public Records Act. The bill also makes technical amendments. This bill is a recommendation of the Virginia Code Commission.

## School Health and Nutrition

### School Health

[HB215](https://lis.virginia.gov/cgi-bin/legp604.exe?221+ful+HB215) (Robinson) and [SB62](https://lis.virginia.gov/cgi-bin/legp604.exe?221+ful+SB62) (Favola) School Health Services Committee; report. Establishes the School Health Services Committee to review and provide advice to the General Assembly and other policy makers regarding proposals that require local school boards to offer certain health services in a school setting. The bill requires the Committee to submit its findings and recommendations to the General Assembly and the Governor by October 1 of each year. The bill has an expiration date of July 1, 2025.

[SB431](https://lis.virginia.gov/cgi-bin/legp604.exe?221+ful+SB431) (Dunnavant) Board of Education; COVID-19; test-to-stay guidelines. Requires the Board of Education, in collaboration with the Department of Health, to (i) recommend as best practice the shortest duration of quarantine possible, as recommended by the Centers for Disease Control and Prevention, for students and employees at public schools who contract COVID-19 and (ii) develop test-to-stay guidelines for such schools and recommend such guidelines to schools for use as an alternative to quarantine for students and employees who contract COVID-19. The bill also provides that all guidelines established pursuant to the bill shall be immediately distributed to local school boards and shall reflect the most updated recommendations from the Centers for Disease Control and Prevention to limit the amount of time out of the classroom to be as short as possible, including no quarantine, as recommended for asymptomatic individuals who have been fully vaccinated either within six months or have a boosted vaccination status. The bill contains an emergency clause.

### School Nutrition

[HB583](https://lis.virginia.gov/cgi-bin/legp604.exe?221+ful+HB583) (Roem) Public elementary and secondary school students; ability to pay for meals and school meal debt; extracurricular school activities. Requires each school board to adopt policies that prohibit the school board or any school board employee from denying a student the opportunity to participate in any extracurricular school activity because the student cannot pay for a meal at school or owes a school meal debt.

[HB587](https://lis.virginia.gov/cgi-bin/legp604.exe?221+ful+HB587) (Roem) School Breakfast Program and National School Lunch Program; processing of applications. Requires each public elementary or secondary school to process each web-based or paper-based application for participation in the School Breakfast Program or the National School Lunch Program administered by the U.S. Department of Agriculture within five working days after the date of receipt of the application.

## School Safety and Discipline

[HB4](https://lis.virginia.gov/cgi-bin/legp604.exe?221+ful+HB4) (Wyatt) and [SB36](https://lis.virginia.gov/cgi-bin/legp604.exe?221+ful+SB36) (Norment) School principals; incident reports. Requires that school principals report to law enforcement certain enumerated acts that may constitute a misdemeanor offense and report to the parents of any minor student who is the specific object of such act that the incident has been reported to law enforcement. Under current law, principals are required to make such reports only for such acts that may constitute a felony offense. The bill provides, as an exception to the requirement to report any written threats against school personnel while on a school bus, on school property, or at a school-sponsored activity, that a principal is not required but may report to the local law-enforcement agency any such incident committed by a student who has a disability. **\*These are Governor’s bills.**

[HB741](https://lis.virginia.gov/cgi-bin/legp604.exe?221+ful+HB741) (Bell) Annual public elementary and secondary school safety audits; creation or review of school building floor plans required. Requires each local school board, as part of each annual school safety audit, to create a detailed and accurate floor plan for each public school building in the local school division or certify that the existing floor plan for each such school is sufficiently detailed and accurate but provides that such floor plan may be withheld from public disclosure.

[HB873](https://lis.virginia.gov/cgi-bin/legp604.exe?221+ful+HB873) (Greenhalgh) Public elementary and secondary schools; threat assessment team membership; law-enforcement liaison for certain school administrators. Requires, in the case of any public elementary or secondary school in which a school resource officer is employed, the threat assessment team for such school to include at least one such school resource officer. The bill requires the chief local law-enforcement officer for any local school division in which a public elementary or secondary school does not employ a school resource officer to designate a law-enforcement officer to receive, either in-person or online, the school safety training for public school personnel conducted by the Virginia Center for School and Campus Safety in accordance with relevant law and requires such officer to serve as the law-enforcement liaison for the school administrator in such a school who has also received such training as prescribed by relevant law. **\*This is a Governor’s bill.**

[HB1129](https://lis.virginia.gov/cgi-bin/legp604.exe?221+ful+HB1129) (Taylor) and [SB600](https://lis.virginia.gov/cgi-bin/legp604.exe?221+ful+SB600) (Pillion) School safety audits; law-enforcement officers. Requires each local school board to require its schools to fully collaborate with the chief law-enforcement officer of the locality or his designee when conducting required school safety audits. Under current law, the division superintendent is required to make the results of such audits available to the chief law-enforcement officer upon request, and his approval is not needed. The bill also requires that the completed walk-through checklist using the standardized checklist provided by the Virginia Center for School and Campus Safety be made available to the chief law-enforcement officer of the locality or his designee. Current law requires that the completed walk-through checklist be made available to the chief law-enforcement officer or his designee upon request. **\*These are Governor’s bills.**

## Special Education and the Children’s Services Act

[HB649](https://lis.virginia.gov/cgi-bin/legp604.exe?221+ful+HB649) (Carr) and [SB265](https://lis.virginia.gov/cgi-bin/legp604.exe?221+ful+SB265) (Hashmi) Language development for children who are deaf or hard of hearing; assessment resources for parents and educators; advisory committee; report. Requires the Department of Education, in coordination with the Department for the Deaf and Hard-of-Hearing, to (i) select, with input from an advisory committee that the bill establishes, language developmental milestones and include such milestones in a resource for use by parents of a child from birth to age five who is identified as deaf or hard of hearing to monitor and track their child's expressive and receptive language acquisition and developmental stages toward English literacy; (ii) disseminate such resource to such parents; (iii) select existing tools or assessments for educators for use in assessing the language and literacy development of children from birth to age five who are deaf or hard of hearing; (iv) disseminate such tools or assessments to local educational agencies and provide materials and training on their use; and (v) annually produce a report that compares the language and literacy development of children from birth to age five who are deaf or hard of hearing with the language and literacy development of their peers who are not deaf or hard of hearing and make such report available to the public on its website.

## Standards of Quality

[HB829](https://lis.virginia.gov/cgi-bin/legp604.exe?221+ful+HB829) (Wilt) School counselors; staffing ratios; flexibility. Permits school boards to fulfill the staffing ratio requirements for school counselors by (i) employing, under a provisional license issued by the Department of Education for three school years with an allowance for an additional two-year extension with the approval of the division superintendent, any professional counselor licensed by the Board of Counseling, clinical social worker licensed by the Board of Social Work, psychologist licensed by the Board of Psychology, or other licensed counseling professional with appropriate experience and training, provided that any such individual makes progress toward completing the requirements for full licensure as a school counselor during such period of employment or (ii) in the event that the school board does not receive any application from a licensed school counselor, professional counselor, clinical social worker, or psychologist or another licensed counseling professional with appropriate experience and training to fill a school counselor vacancy in the school division, entering into an annual contract with another entity for the provision of school counseling services by a licensed professional counselor, clinical social worker, or psychologist or another licensed counseling professional with appropriate experience and training.

[SB490](https://lis.virginia.gov/cgi-bin/legp604.exe?221+ful+SB490) (McClellan) Standards of Quality; principals; assistant principals. Requires each school board to provide at one principal per school and one assistant principal per 500 students in each elementary, middle, and high school**. \*Please note this bill is still pending conference. The current conference amendment only amends principal ratios.**

## Studies

[SJ10](https://lis.virginia.gov/cgi-bin/legp604.exe?221+ful+SJ10) (Surovell) Study; joint subcommittee to study pandemic response and preparedness in the Commonwealth; report. Establishes a joint subcommittee to study pandemic response and preparedness in the Commonwealth. In conducting its study, the joint subcommittee is tasked with examining existing laws in the Commonwealth and developing recommendations regarding the pandemic response and future needs of the Governor, the General Assembly, local governments, public and private health care systems and other facilities and providers, health districts, the judicial system, K-12 and higher education systems, and the business regulatory system.

## Teacher Education, Licensure, and Compensation

[HB230](https://lis.virginia.gov/cgi-bin/legp604.exe?221+ful+HB230) (Coyner) and [SB154](https://lis.virginia.gov/cgi-bin/legp604.exe?221+ful+SB154) (Locke) Applications for teacher licensure by reciprocity; military spouses; timeline for determination. Requires the Board of Education's licensure regulations to provide for licensure by reciprocity for any spouse of an active duty or reserve member of the Armed Forces of the United States or a member of the Virginia National Guard 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. Current law requires such regulations to provide for licensure by reciprocity for any spouse of an active duty member of the Armed Forces of the United States or the Commonwealth. The bill requires such an individual to submit an official copy of the military permanent assignment orders of the individual's spouse as part of the complete application packet. The bill requires the Department to determine and communicate such individual's eligibility for licensure by reciprocity within 15 business days of receipt of the complete application packet.

[HB236](https://lis.virginia.gov/cgi-bin/legp604.exe?221+ful+HB236) (Orrock) Board of Education; authority to temporarily extend certain teachers' licenses. Permits the Board of Education to grant a two-year extension of the license of any individual licensed by the Board of Education pursuant to its statutory authority whose license expires on June 30, 2022, in order to provide the individual with sufficient additional time to complete the requirements for licensure renewal.

[HB271](https://lis.virginia.gov/cgi-bin/legp604.exe?221+ful+HB271) (Byron) Local school boards and comprehensive community colleges; compensation structure for adjunct instructors; noncredit workforce credentials. Requires local school boards and comprehensive communities colleges to enter into local or regional agreements for the establishment and implementation of a competitive compensation structure to recruit and retain adjunct instructors to be jointly compensated by the relevant school boards and colleges to prepare both high school students and college students to earn noncredit workforce credentials, as that term is defined in relevant law.

[HB419](https://lis.virginia.gov/cgi-bin/legp604.exe?221+ful+HB419) (Delaney) Institutions of higher education; education preparation programs; coursework; audit. Requires each education preparation program offered by a public institution of higher education or private institution of higher education that provides training for any student seeking initial licensure by the Department of Education to (i) include a program of coursework and require all such students to demonstrate mastery in science-based reading research and evidence-based literacy instruction and require such program of coursework and the student mastery required to be demonstrated therein to be consistent with definitions and expectations established by the Board of Education and the Department of Education after consultation with a commission consisting of independent literacy experts and stakeholders with knowledge of science-based reading research and evidence-based literacy instruction that has reviewed the relevant regulations and (ii) for any such student seeking initial licensure by the Department of Education as a teacher with an endorsement in early childhood, elementary education, or special education or with an endorsement as a reading specialist ensure that reading course work and field practice opportunities are a significant focus of the education preparation program. The bill requires the Department of Education to audit at least once every seven years each education preparation program for compliance with such requirements.

[HB979](https://lis.virginia.gov/cgi-bin/legp604.exe?221+ful+HB979) (Tran) and [SB68](https://lis.virginia.gov/cgi-bin/legp604.exe?221+ful+SB68) (Favola) Board of Education; provisional teacher licensure; teachers licensed or certified outside of the United States. Permits the Board of Education to provide for the issuance of a provisional license, valid for a period not to exceed three years, to any individual who has held within the last five years a valid and officially issued and recognized license or certification to teach issued by an entity outside of the United States but does not meet the requirements for a renewable license if the individual's license or certification to teach has been evaluated and verified by an entity approved by the Department of Education.